

DEVELOPMENT PROCESS MANUAL

A Step-by-Step Guide
to Developing and Building
San Antonio

City of San Antonio, Texas
Updated October, 2004

ACKNOWLEDGEMENTS

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INTRODUCTION – START HERE

Welcome

If you are interested in starting a business, developing your land, constructing a building or occupying a building, you are in the right place. There are numerous rules and regulations that are designed to assist our community, insure orderly growth, protect the health, safety and character of the City. Your first contact for a development project should be the One-Stop Counter where you can obtain information and forms, ask questions and file applications for zoning, platting and building permits. You can cover a significant amount of the development process for most projects with just one call or visit. Our aim is to help you help us make San Antonio a city of choice.

One-Stop Counter

Presently, the One-Stop Counter consists of staff that is prepared to help you with your development needs. The purpose of the “ One-Stop Counter ” is to simplify the construction and development application and review processes, and to allow individuals to conduct most of their transactions at one location. It provides a single location where citizens, contractors and developers can obtain the information and forms necessary to pursue zoning, development, platting or construction. It is a service provided by the City of San Antonio to facilitate the development process in a customer-friendly manner.

Services Offered at the “ One-Stop Counter ”

The following list details what can be done through just a telephone call, a fax, an E-mail or a visit to the One-Stop counter. If they cannot answer a question, they will contact the person you need to speak to and have them call you. The list of services offered includes:

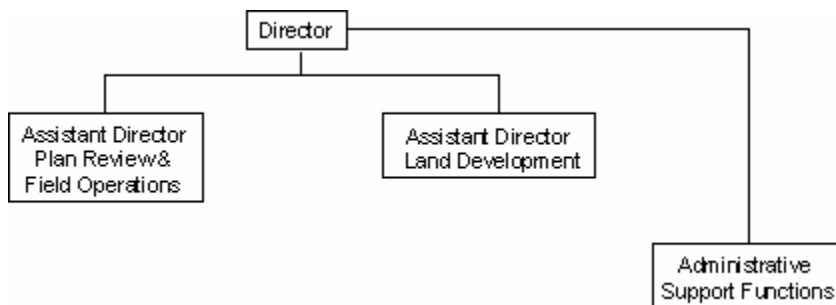
- Permitting to include Trade Permits and Certificates of Occupancy
- Zoning and Rezoning information and applications
- Subdivision Platting information and applications
- Historic Preservation Information and applications
- River Improvement Overlay information and applications
- Alamo View Shed information and applications
- Flood Plain information
- Storm Water requirements information
- Plan Review submittal requirements information
- Construction Codes information
- Traffic Impact Analysis (T.I.A.) requirements information
- Parking requirements information
- Plan Review process information
- Completeness Review for building permit and zoning applications
- Minor Plan Review and approval to include One-Day (walkthrough) and Ten-Day Plans
- Sale of Food Establishment Licenses, Temporary Food Licenses, Mobile Food Vending Licenses, Swimming Pool Licenses, Livestock Permits, Demolition Permits, Air Pollution Permits, Mobile Home Park Permits and Rendering Permits.

Location and Contact Information

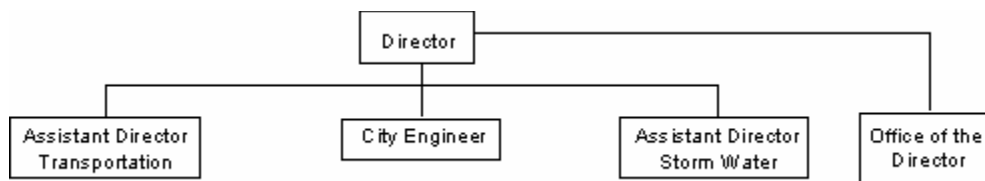
The One-Stop Counter is located in the Development and Business Services Center at 1901 South Alamo and can be visited in person or contacted by calling (210) 207-1111. This facility is a 75,000 square foot office building staffed by City departments involved in the development process. Other services provided include Assumed Name information, TABC information, South Texas Business Fund/SBA Loan Program, Barricade and Temporary Parking permits, and ROW Management Permits. The Development and Business Services Center opened officially for business on Monday, April 14, 2003.

ORGANIZATIONAL CHARTS OF PRINCIPAL DEPARTMENTS IN THE DEVELOPMENT PROCESS

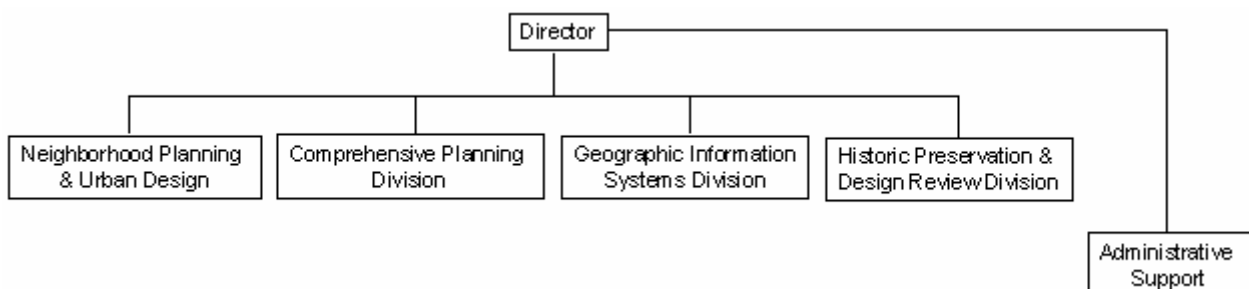
DEVELOPMENT SERVICES DEPARTMENT



PUBLIC WORKS DEPARTMENT



PLANNING DEPARTMENT



Purpose of this Manual

The purpose of this development process manual is contained in the title: to explain the various processes related to starting a business, land development and building construction in the City of San Antonio and its Extraterritorial Jurisdiction (ETJ). This document is intended to summarize relevant ordinance processes, but is not a substitute for the ordinances. If any conflict that arises between statements in this manual and an ordinance, the ordinance will prevail.

Scope

The intent is to provide to those involved in the development process an understanding of what is required to complete a development project regardless of size.

Development regulations affect real estate transactions, site development, permitted uses, building design, renovation, construction permitting and occupancy. If you are purchasing land, selling land, constructing a building, starting a business, repairing an existing structure or making an addition, you need to understand the current and future development options which may impact the value of your land and your ability to develop it. Many people want to know where to start and what is required. This manual is intended to answer those questions and guide you through the process.

The development process is dynamic. This manual is general in nature and reflects ordinance provisions as of July 2004, and subject to periodic revisions as needs arise.

Changes and Updates

This manual is intended to provide as much certainty and clarity as possible in the development and construction processes. Contents, policies and procedures are current as of the publication date. Any and all changes to the City's Unified Development Code (UDC) and Building Codes will be reflected in annual updates of those sections of the Manual that are impacted by the revisions. For changes occurring between updates, call or visit the One-Stop Counter.

How to use this Manual

The titles of most chapters are self-explanatory. If you know what you want to do, begin with this chapter “Start Here” and then to the next appropriate chapter as indicated on the Tabs.

- Start a Business describes the requirements for starting a new business.
- Develop or Use Your Land describes the land development process and zoning.
- Commercial Construction describes the commercial building permitting process.
- Residential Construction describes the residential building permitting process.
- Miscellaneous Permits include those issued by Public Works (barricade, right-of-way closure for special events and right-of-way closure for excavation and utility construction); Development Services (sidewalk/traffic lane closure, driveway approach, curbs & sidewalks); Fire Prevention (amusement parks, burning and bonfire, explosives & fireworks, flammables, fire alarm systems, sprinkler systems, state required inspections, storage tanks and miscellaneous permits and fees); Special Permits (water connection, temporary electrical service); Operational Permits (alcohol sales, food preparation, garage sale, single burglar alarm system); and Other Permits (fences, parking lots, swimming pools).
- Move or Demolish a Structure describes the permitting process for moving a building or demolishing a structure.
- Occupy a Building or Space describes the requirements for obtaining a certificate of occupancy as well as continuing obligations that follow occupancy of a building.
- Appeal a Decision or Action describes the process for requesting a variance to the code or appealing a decision during the process or an action taken by the Director of Development Services or other Department.

Steps for each process are included in summary form. Fee schedules are not included, but may be obtained either at the One-Stop Counter or at the City’s website: <http://www.sanantonio.gov>. Definitions are included in the Glossary and a list of Contact persons is included in the Appendix along with name, department or agency, telephone number and E-mail address.

What is the UDC?

The San Antonio Unified Development Code (UDC), Chapter 35 of the City Code, establishes development standards, requirements, and procedures for construction and development in the City. The major purpose of the UDC is to implement the City’s adopted Master Plan. It provides clear rules about what is expected of applicants in order to gain approval to develop land in the City.

How does the UDC impact me?

For individuals, land owners, developers and builders who have their projects already approved, have a properly platted lot(s) to build on, and the proper zoning if inside the City limits, the UDC will have little immediate impact. Land outside the City limits of San Antonio but within its extraterritorial jurisdiction (ETJ) are also impacted, although less than land within the City limits. However, those planning a new project where approvals are not already obtained will be impacted by the UDC to varying degrees, depending on the size and location of the project and use(s) proposed. In addition to regulations in the traditional sense, the UDC now provides options to a land owner or developer regarding types of development. Additional privileges or incentives are available for certain types of projects and use patterns that directly implement Master Plan policies.

How to use the City's Website: sanantonio.gov

The City's website, sanantonio.gov is called a Community Portal and is comprehensive in scope. The website includes five major areas: Services, Living in SA, Business in SA, Government, Visiting SA and Search. The website also has headlines and links for current important news or events, links to the Mayor, your Council member, the City Manager and a Profile of San Antonio. The site has access to a keyword search engine, links to weather and air quality reports, real time traffic and emergency information.

To view maps of the City, select "Living in SA". This includes an interactive Zoning map and other maps. To find out the zoning of a parcel, make sure the "parcel" layer is active and keep zooming in until the map is large enough to see the zoning classification.

The "Services" page offers Online Citizen Service Request capabilities, with services listed from A to Z. A land owner, developer or builder might be interested in such services as: Alarm Permits, Asbestos and Demolition, Building Inspection, Building Permits, Capital Improvement Projects, Encroachments, Neighborhood Associations, Small Business Services, Street & Alley Closures or Zoning. The quickest way to go to the appropriate page is to start with the "Services" selection at the top of the Home page.

Also under "Living in SA" is the list of Neighborhood Associations that are registered with the Planning Department. This list is useful for a developer to incorporate citizen participation into the process. Other pages under Living in SA are not necessarily relevant to construction and land development.

"Business in SA" includes Economic/Business Development, Development Services, City Bid Opportunities, San Antonio Technology Accelerator Initiative (SATAI), Better Jobs Initiative, Community Revitalization Action Group (CRAG) and International ties. For land owners, developers, builders and contractors, the link to Development Services is useful. This link takes you to Building Permit information and on-line status inquiries. It also includes a link that shows the locations of Community Service Centers.

The "Government" pages have links to City Officials, City Council Agenda, City Departments, Human Resources & Jobs, City Clerk's Office, Municipal Courts and Other Public Agencies. When you click on "City Departments" you get an alphabetical listing of departments that are links to each department. Land owners, developers, builders and contractors are usually interested in Development Services, Planning and Public Works. Selecting "Development Services" from this location gives you the Department's Home Page with contact information, news, Boards & Agendas, Tools and Library.

- "Tools" include the Report System, Plan Review System, Plan Fee Calculator, Licensed Contractors and Permits & Inspections. "Licensed Contractors" allow you to search 4 different ways to find out if a contractor is licensed.
- "Permits & Inspections" is a search engine of the permits & inspections database where you can search for inspections by Permit Number; search for permits by type for a period of time, and permits by address. This generates a list of those permits.
- "Library" selection includes links to the UDC, the Landscaping Ordinance, Tree Preservation Ordinance, Online Forms, Electrical Code Chapter 10, a list of Electrical Training Providers and Fee Schedules.

If you select "Planning" in the list of department links, you get the Planning Department Home Page with links to the Director and divisions of the department: Historic Preservation, Comprehensive

Planning, Geographic Planning & Transportation Information Systems and Neighborhoods & Urban Design. On the Historic Preservation Division site you will find the Historic and Design Review agenda, schedule of meetings, application forms, information regarding the Historic Structures Survey, information regarding the River Improvement Overlay District, and other information. Click on Comprehensive & Transportation and you will find Annexation information.

Also in the "Government/Department List," select Public Works to go to the Home Page. This provides links to the Director, the Architect and department divisions of: Building Maintenance, Capital Projects, Parking, Right-of-Way Management, Street Maintenance, Storm Water Utility, Engineering and Traffic Engineering.

Overview of All Project Approvals, Completion and Certificates of Occupancy

1. Submit a complete application with all required information
2. A completeness review for plan submittals will be conducted to ensure that all required information is included before the time clock starts for a review.
3. Department staff and agencies review plans, materials and information submitted
4. If it is a building permit or other ministerial permit application, staff may approve or deny with feedback to applicant for changes.
5. If necessary, a public hearing will be scheduled before the Planning Commission, Zoning Commission or Historic and Design Review Commission where it may be approved or denied.
6. If zoning, a public hearing may be scheduled before the City Council where it may be approved or denied.
7. Once approved by the Planning Commission, subdivision plats become eligible to be recorded at the courthouse as soon as all required fees are satisfied.
8. If a building permit, inspections will be performed by the City before a Certificate of Occupancy is issued.

Development and Building Permits Issued by the City of San Antonio

According to the UDC, a PERMIT is a license, certificate, approval, registration, consent, permit, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought. All appropriate definitions are located in the Glossary.

A DEVELOPMENT PERMIT includes any of the following: a subdivision plat, a conditional use permit, a building permit, or a certificate of occupancy. A development permit does not include a certification of completeness, a letter of certification, an amendment to the text of this Chapter, or a rezoning. Following are types of permits discussed in this Manual.

Land Development

Floodplain Development
Vested Rights
Tree Preservation

Building Permits

No Plans Permit
Commercial Construction
Electrical
Mechanical
Plumbing
Residential Construction
Sign

Other Permits

Moving
Demolition
Fire Prevention
Swimming Pool
Water Connection
Temporary (Electrical) Service
Fence
Parking Lot

Operational Permits

Alcohol Sales
Food Preparation
Garage Sale/Yard Sale
Single (Burglar) Alarm System

Public Works Permits

Barricade
Right of Way Closure for Special Event
Sidewalk/Traffic Lane Closure
Curbs & Sidewalks
Right of Way Permit

Certificate of Occupancy

Automatic Certificate of Occupancy
Prorated Certificate of Occupancy
Temporary Certificate of Occupancy
Adult Entertainment Certificate of Occupancy

Continuing Obligations

Landscaping - Tree Preservation
RIO - View Shed - TAS
SUP - Conditional Zoning - Historic
Fire Protection - Drainage

Introduction to Development

The City of San Antonio corporate boundary was first established on May 25, 1838. The Town Surveyor was instructed to lay the boundaries of the City three miles (one league) north, east, south, and west of the town church (San Fernando Cathedral). At that time the City contained 36 square miles. Today, it has grown to 430 square miles. In the beginning, there were few requirements regarding land development and construction. The City adopted its first Zoning ordinance in 1938. Construction-related codes were first adopted in 1949 and the first subdivision ordinance was adopted in 1953.

Also a variety of additional requirements have been adopted by the City to include landscaping, parking, tree preservation, storm water detention, historic preservation, advertising signs, traffic impact analysis, and asbestos survey requirements. These new requirements were made in conjunction with new development concepts and techniques, and in response to factors such as San Antonio's Master Plan. Future requirements may cover such issues as the site grading development permit and right-of-way management as part of the overall development process.

The San Antonio development process can be very involved and complex, especially to the first time user. Depending on the type of project that you are undertaking, the process may involve a few steps requiring a day or large number of steps and sub-processes requiring months to complete. The most important part of the process is the due diligence (homework) on the part of the homeowner/land owner/developer or design consultant of the project. As you go through this manual you will begin to understand some of the logical sequencing that needs to occur. This includes such things as zoning, platting, utilities, traffic, drainage considerations and building construction, which are discussed in more detail.

This manual presents tasks in the sequence necessary if you were starting with a raw, undeveloped, improperly zoned, and improperly platted tract of land. Your project may allow you to start in the middle of the manual or towards the end if you are simply applying for a Certificate of Occupancy to occupy and use an existing building properly zoned for your specific use. Whatever your project needs may be, you should use the manual and staff resources that are available to you in the City's development related departments.

Performing Due Diligence

Any individual or company that contemplates the improvement or development of land should consider many factors before purchasing the land believed to be an ideal location for the project. Of course, research should be conducted to determine if there are such things as deed restrictions or easements that would affect the use of your land.

If the land is within the City of San Antonio corporate limits, a Limited Purpose Annexation area, or five miles thereof within the City's Extraterritorial Jurisdiction, you must find out what other development requirements will affect your ability to complete your project.

- Will current zoning on the land allow the intended use?
- Will the proposed improvements fit on the land, or will it be necessary to obtain a variance from the Board of Adjustment?
- Is the land in a Historic District, a Local Landmark, in the River Improvement Overlay District, or in the Alamo View Shed that will require Historic and Design Review Commission approval?
- Will the Military Airport Overlay Zone or the Edwards Aquifer Recharge Zone apply additional restrictions on uses allowed within the current Zoning District or classification?

- Is the land within the flood plain or are there other drainage problems that would interfere with your intended use?
- Will compliance with the Tree Preservation Ordinance alter your proposed project?
- Will compliance with the Landscape Buffer requirements between dissimilar uses allow the intended use?
- Will it be necessary to file a subdivision plat before you can obtain the necessary permits to construct your improvements?

The following check list will help you evaluate the rights or entitlements of your land. This is a general checklist, for specific checklists see the chapters on Commercial Construction and Residential Construction.

Project Check List

The following are subjects that should be covered before a project goes to the drawing board. Answers to these questions before beginning a project will save the developer, owner and builder time, effort and money.

ZONING

- ☐ What is the existing zoning classification?
- ☐ What is the proposed use?
- ☐ Is approval of City Council a requirement?
A zoning change is needed if the existing zoning and the proposed use is not compatible. Contact the One-Stop Counter at 207-1111
- ☐ Are the zoning setback requirements correct?
- ☐ If not, does justification to the Board of Adjustment for a variance exist?
Contact Board of Adjustment staff of the Development Services Department at 207-6944.

SUBDIVISION REGULATIONS

- ☐ Does the land require platting?
- ☐ Do the site plan dimensions match the plat?
- ☐ Are all easements and lot lines shown on the site plan as indicated on the plat?
- ☐ Is a copy of the approved and recorded subdivision plat attached with the construction documents?
A copy of the approved and recorded subdivision plat may be obtained from Plat & Deed Records located in the basement of Bexar County Courthouse at 100 Dolorosa, 335-2225. The Subdivision Section of the Development Services Department is at 207-7900.

TREE PRESERVATION & LANDSCAPE ORDINANCES

- ☐ Are there existing Trees on the site that are 6" diameter or greater or 2" diameter or greater for the small tree species; Texas Mountain Laurel, Texas Redbud, Condalia, Texas Persimmon and in flood plains Crabapple and Possumhaw?
- ☐ Is there existing vegetation that can be preserved to meet tree preservation, landscape or streetscape requirements?
- ☐ Submit a completed tree affidavit/permit application with the appropriate documentation.
- ☐ Submit a landscape plan sealed by a landscape architect if the project has 4,300 sq ft or more of impervious surface.
- ☐ Submit an Irrigation plan sealed by a licensed irrigator if the project has 4,300 sq ft or more of impervious surface.
- ☐ Will the project require work in the 100 year Flood Plains?

HISTORIC PRESERVATION

- ☐ Is the project location in a Historic District?
- ☐ Is it a designated local landmark?
- ☐ Has a Certificate of Appropriateness been obtained and submitted?

The Historic and Design Review Commission (HDRC) meets on the 1st and 3rd Wednesday of each month. Contact the Historic Preservation Division in the Planning Department, located at 1901 South Alamo, 207-7869.

RIVER IMPROVEMENT OVERLAY DISTRICT (RIO)

- ☐ Is the property located in a RIO District?
- ☐ Has a Certificate of appropriateness been obtained and submitted?
The Historic and Design Review Commission (HDRC) meets in the 1st and 3rd Wednesdays of each month, Contact the Historic Preservation Division in the Planning Department, located at 1901 South Alamo, 207-7869.

ALAMO VIEWSHED

- ☐ Is the property located in the Alamo View Shed?
- ☐ Has a Certificate of appropriateness been obtained and submitted?
The Historic and Design Review Commission (HDRC) meets in the 1st and 3rd Wednesdays of each month, Contact the Historic Preservation Division in the Planning Department, located at 1901 South Alamo, 207-7869.

UTILITIES

- ☐ Are utilities (electric, gas, water, sewer) available at the site?
Contacts:
City Public Service 353-3333
San Antonio Water System 704-7297
Bexar Metropolitan Water 354-6561
- ☐ If community sewer is not available, will you need a septic system?
Bexar County Public Works 335-6700

EDWARDS RECHARGE ZONE DISTRICT (ERZD)

- ☐ Is the project located in the ERZD?
- ☐ Have you obtained plat approval?
- ☐ Is City Council approval a requirement?
- ☐ Is this a Category 1, 2, or 3?
- ☐ Is a water pollution abatement plan a requirement?
- ☐ Is there an aquifer protection plan if applicable?
Contact the Aquifer Protection and Evaluation Section of the San Antonio Water System at 704-7305.
TCEQ review may be a requirement.

DRAINAGE

- ☐ Is the land location in a floodplain?
- ☐ Is the proposal in compliance with drainage ordinance?
- ☐ Is a floodplain development permit required?
Contact Storm Water Engineering of the Public Works Department at 207-8052.

TRAFFIC IMPACT ANALYSIS (TIA)

- ☐ Does your project require a TIA? (commercial project or apartment project with more than 12 units)
- ☐ Has a TIA worksheet been prepared for your project?
- ☐ Based on the results of your TIA worksheet, is a study required?
The Development Engineering Section of the Development Services Department is at 207-0265

CONSTRUCTION CODES

- ☐ 2003 International Building Code (amended)
- ☐ 2003 Uniform Mechanical Code (amended)
- ☐ 2002 National Electrical Code (amended)
- ☐ 2003 Uniform Plumbing Code (amended)
- ☐ 2003 International Fire Code (amended)

- ☐ 2000 International Energy Conservation Code
- ☐ 2000 International Residential Code
- ☐ Guidelines for the Rehabilitation of Buildings (1st printing, 2001)
- ☐ San Antonio Pool and Spa Standards
- ☐ San Antonio Food Establishment Rules

MISCELLANEOUS

- ☐ Is the land located in the following?
 - ☐ Military Airport Overlay Zone
- ☐ Does the height of the building violate Airport Hazard Zoning Regulations?
- ☐ Does the land front State right-of-way?
Contact the Texas Department of Transportation for access at 615-5865.
- ☐ Are the height, size and spacing of signs in compliance with the sign ordinance?
- ☐ If selling of alcoholic beverages will occur, has a letter stating compliance with the distance requirements of the City and Texas Alcoholic Beverage Commission (TABC) been submitted?
- ☐ If the use is a video store, nightclub, lounge or similar use, has a letter stating whether or not it is a sexually oriented business been submitted?
- ☐ Have Fire Flow tests been submitted with plans?
- ☐ Have existing buildings been indicated on the site plan?
- ☐ Is Fire Department access and Fire Department connections for sprinklers in buildings indicated on site plans?
- ☐ Right-of-way use and excavation permits.
- ☐ Has an asbestos survey been conducted (if addition to existing building)
- ☐ Does the project have a Texas Department of Licensing & Regulation number (TDLR#)? (For projects of \$50,000 valuation and above.
- ☐ Does the project comply with the Americans with Disabilities Act and the Fair Housing Act?
Contact the Disability Access Office at 207-7957 for information.

START A BUSINESS (TAB)

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STARTING A BUSINESS

The purpose of this section is to provide information needed on licensing and legal requirements to start a business in San Antonio. The following is meant for informational purposes only and is not meant to be a legal document. Whenever possible, you are encouraged to consult with an Attorney or an Accountant. You are also encouraged to take advantage of the assistance available to start-up businesses and small businesses in San Antonio.

Steps to Starting a Business

1. Review tax and employer requirements
2. Decide on business legal structure, choose name
3. Register business and/or obtain Employer Identification Number (EIN) from IRS
4. Review types of assistance available and make use of any or all types
5. Obtain business permits

Requirements to do Business

Observe Federal Tax Requirements

There are a number of taxes that you are required to pay such as: federal business income tax, and self-employment tax, among others. You can obtain tax-related forms and other information by requesting a Business Tax Kit. To order a Business Tax Kit, call 1-800-829-3676.

SOLE PROPRIETOR REQUIREMENTS

Tax Identification Number (TIN) – You generally use your social security number as your Tax Identification Number, however a sole proprietor who pay wages must have an Employer Identification Number (EIN). Additionally, every Partnership, Corporation and Non-Profit Organization must have an EIN.

Federal Income Tax – Every business, except partnership, must file an annual return. Partnerships file an individual return. The federal income tax is a pay-as-you-go-tax. You must pay the tax as you earn or receive income during the year. An employee usually has income tax withheld from his or her pay. If you do not pay your tax through withholding, you may have to pay estimated tax.

Self-Employment Tax – Self-Employment Tax is the social security and Medicare tax for individuals who work for themselves. Your payments of self-employment tax contribute to your coverage under the social security system.

EMPLOYER REQUIREMENTS

Employment Taxes – If you have employees, you will need to get Publication 15, Circular E, Employers' Tax Guide.

Federal Unemployment Tax – The federal unemployment tax is part of a federal and state program under the Federal Unemployment Tax Act (FUTA) that pays unemployment compensation

to workers who lose their jobs. You report and pay FUTA tax separately from your social security and Medicare taxes and withheld income tax.

Employer Identification Number (EIN) – A sole proprietor who pays wages must have an Employer Identification Number (EIN). Additionally, every partnership, corporation and nonprofit organization must have an EIN. To request your EIN call the IRS at 1-800-829-1040.

Hiring Employees – Every Sole Proprietor, Partnership, Corporation, Association, Organization or other entity that employs one or more persons in Texas must file FORM C-1, “EMPLOYERS STATUS REPORT”. For more information call one of the offices listed above and request a copy of the booklet “SPECIALLY FOR TEXAS EMPLOYERS”. This booklet provides valuable information on workplace issues from understanding the agency and the law, to taxes and the appeals process. Contact the Texas Workforce Commission at (210) 523-7300. You can also download a copy of the booklet as well as other information by accessing the Texas Workforce Commission’s website at www.twc.state.tx.us.

Unemployment Taxes – The Texas Workforce Commission collects all unemployment Taxes for workers employed in Texas. For more information regarding these taxes, to obtain an Employer Identification Number, and for information on tax credits, contact the Texas Workforce Commission – (210) 523-7300.

If you plan on hiring employees, you will be required to withhold federal income tax and social security (FICA) tax from their wages. You will also have to pay Federal Unemployment (FUTA) Tax. Employment taxes are explained in IRS Publications 937 and Publication 15. If self-employed, you will also be required to pay the social security tax, in addition to the federal income tax. Refer to the Tax Guide Publication 334 for more information.

Employee vs. Independent Contractor – Do not make assumptions about whether or not an individual is an independent contractor, regardless of what that person might claim to be. The IRS and Texas Workforce Commission use 20 common law factors to evaluate the relationship between you as an employer and the individual(s) you pay for providing service. Complete a Form SS-8 to the IRS to have IRS make the determination. You can obtain the form by calling the IRS at (800) 829-1040 or visit the website www.irs.treas.gov.

REGISTER YOUR BUSINESS NAME

Your business name must be registered before you apply for a certificate of occupancy, apply for a Sales Tax Permit, and before you can open a commercial checking account at a bank. Before you register your business you must decide what form it will take. It can be a sole proprietorship, a partnership or a corporation.

If the business will operate as a sole proprietorship or a partnership, an Assumed Name Certificate or D.B.A. (Doing Business As) for each name the business will use must be on file with each county clerk office in the county in which business will be conducted. If no business premise is maintained, the assumed name certificate must still be filed in the county where the business is conducted.

Filing of an Assumed Name certificate does not impart any real name protection. It is merely a formal process that informs the general public as to who is the registered agent of a business and how official contact can be made.

Filing an Assumed Name Certificate does not reserve the business name for your exclusive use. Requests for name searches are not accepted over the phone. Filing must be renewed every ten (10) years. For additional information, contact the Bexar County Courthouse, Assumed Names Desk at the County Clerk's Office, 100 Dolorosa, (210) 335-2223 or (210) 207-3920.

BUSINESS INCORPORATION

All businesses operating as corporations in Texas must file Articles of Incorporation with the Office of the Secretary of State of Texas. If the corporation will transact business under names other than that stated in the Articles of Incorporation, the corporation needs to file an assumed name certificate with the Secretary of State and with the county clerk in which the principal office and registered office of the corporation is located. You can also find out if a corporation is already using the name chosen. Contact the Office of the Secretary of State, Statutory Filing Division, Corporations Section, P.O. Box 13697, Austin, Texas 78711-3697, (512) 463-5555.

Other Business Entities -- Other forms of business entities required to file with the Secretary of State include: Limited Partnerships, Limited Liability Partnerships, Limited Liability Companies, Professional Corporations, Professional Associations, and Non-Profit Corporations. The Secretary of State provides a summary of requirements for the creation of these entities but does not provide forms for organization documents except for registration of a limited liability partnership.

Certificate Of Authority--Corporations, limited partnerships and limited liability companies organized in other states or countries may transact business in Texas by obtaining a Certificate of Authority through the Office of the Secretary of State. The Corporation section of the Secretary of State can provide you the forms. An out-of-town business may consider the option of creating a Texas corporation, limited partnership, or limited liability company for transaction of business in Texas.

Foreign Ownership--To obtain an Investor's visa, a petition must be filed with the Immigration and Naturalization Service Center having jurisdiction over the area in which the new commercial enterprise will be principally doing business. For a business that will locate in San Antonio, contact the U.S. Immigration and Naturalization Service, 8940 Four Winds Drive. You must visit in person.

Obtain Business Permits

HOME OCCUPATIONS

A Home Occupation is defined by the Unified Development Code (UDC), Section 35-38, as follows: *Any activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling unit.* If your home is located within the city limits of San Antonio, home occupations must meet certain requirements. Call the Zoning Section City of San Antonio Development Services Department at (210) 207-0007 to confirm if your business may be operated from your home.

COMMERCIAL LOCATION

Certificate of Occupancy – This is a city requirement applicable ONLY if your business is located within the city limits of San Antonio in a commercially zoned land. You must apply in person at the Development Services Department for a Certificate of Occupancy if the use of the building will change from its previous use, i.e., retail store to restaurant; warehouse to manufacturing; or if there is a change of occupant. This is the initial step for a team of City inspectors to inspect the space to

be occupied to determine if the premises meet all building, plumbing, heating and air, electrical, fire, health and environmental requirements. Upon approval of all the inspections, the Development Services Department issues the Certificate of Occupancy. Time frame for processing the application is within five working days unless there are corrections to be made. To apply for a Certificate of Occupancy, please contact the Development Services Department, located at 1901 S. Alamo, (210) 207-1111.

Sales Tax Permit – Every Sole Proprietorship, Partnership, Corporation or other organization going into business should call the office of the State comptroller to determine if a SALES TAX PERMIT is required for the product you sell, rent, lease, or for the service you render. There is no fee for the SALES TAX PERMIT; however, you may be required to furnish a bond or security. The State Comptroller's Office also has TAX EXEMPT information. Under Texas law, the purchaser of a business is responsible for any sales tax owed by the previous owner. Additionally, the law requires a purchaser to withhold from the purchase price any amount needed to cover a sales tax debt.

Contact your local offices of the Texas State Comptroller at the following locations: 123 SW Military Drive, Southwest Junction Plaza at (210) 924-6434; 9514 Console Dr., Suite 102 at (210) 616-0067; or 3300 Nacogdoches Rd, Suite 105; at (210) 646-0399 or visit their website at www.window.state.tx.us

You should have the following information prior to going to the State Comptroller: a) Your SSN and address if you own the business, or b) Each partner's SSN if it is a partnership; or c) SSN and address of the president, VP, and secretary treasurer if it is a corporation. You should also have: a) the Federal Employer Identification Number assigned by the Internal Revenue Service if you hire employees or pay federal excise tax; and b) the corporate Charter or Certificate of Authority Number assigned to your corporation by the Texas Secretary of State and the effective date of permission to do business in Texas if it is a corporation.

Penalty For Operating Without A Sales Tax Permit: Anyone who operates a retail business in Texas without a Sales Tax Permit or after a permit has been suspended, and each officer of any Corporation who operates a business without a sales tax permit or with a suspended permit, is guilty of a misdemeanor. The fine is up to \$500 a day for each day the business operates without a permit.

Getting Assistance

There are several types of business assistance services available depending on whether the business is in the start-up stage or is a healthy business interested in expanding.

The following are services provided by the Small Business Outreach Division of the City's Economic Development Department.

First Point Business Information Office -- Provides new or expanding businesses a guide containing information on licensing and regulatory requirements to open a particular business in the City of San Antonio. This office also assists new or existing businesses through the Site Development (construction) process; assists businesses in answering questions related to any city activity or regulation; maintains a library of Startup Manuals on various types of businesses. For more information, call (210) 207-3900.

First Point Business Library & Resource Center -- The Center has over 166 manuals published by Entrepreneur Magazine. These manuals include information you need to know about starting and operating a particular type of business. The manuals contain information to help you select a location; determine size of the facility; equipment; inventory, tax requirements, and much more. The center also has the resources with the capability to help you develop a business plan; accounting system, marketing plan, and general small business startup information.

Procurement Technical Assistance Center (PTAC) --Assists area businesses in selling their goods and services to local, state, and federal government agencies, and offers HUBZONE certification. The PTAC provides market research and analysis for firms wanting to enter those markets and for firms wanting to diversify and take advantage of other markets or with Federal Prime Contractors. A technical library and automated bid matching system are available. The PTAC services the City of San Antonio, and Bexar, Atascosa, Bandera, Comal, Frio, Guadalupe, Gillespie, Karnes, Kendall, Medina, Kerr and Wilson Counties. Nominal fees may apply. For more information call (210) 207-3900.

Small Business Economic Development Advocacy Office (SBEDA) -- Promotes the involvement and utilization of Small, Minority, African-American, and Woman-owned Business Enterprises (S/M/AA/WBEs) in all areas of City contracting. The SBEDA Office publishes a quarterly newsletter, maintains a plans room with bidding information, and conducts monthly government contracting orientations. For more information call (210) 207-3900.

BUSINESS FINANCING

South Texas Business Fund (STBF) -- Was formed in 1978 to help communities grow economically stronger through outreach, financing programs, technical assistance and training. Call (210) 207-3932.

Loan Programs

- Small Business Administration (SBA) 504 Loan Program
\$50,000 to \$1.3 million
- Small Business Administration Microloan Program
\$15,000 to \$35,000
- Economic Development Administration, (EDA) Revolving Loan Fund
\$15,000 to \$200,000
- Housing & Urban Development Administration, (HUD)
\$15,000 to \$50,000
- Inner City Loan Fund
Provides loans to small businesses located inside Loop 1604 in San Antonio
- The Bill Sinkin Microloan Fund provides microloans to women and minority businesses located within the San Antonio City limits
in the San Antonio city limits. The maximum loan is \$200,000 with the minimum being \$15,000.

BUSINESS COUNSELING SERVICES

Service Corps of Retired Executives (SCORE) Expert volunteers will help prospective small business owners get started on the right path to success by presenting an affordable Pre-Startup Workshop covering a wide range of sound business management practices. SCORE volunteers will also make confidential visits to your place of business to help you identify problem areas, determine causes and recommend solutions. To make a reservation to meet with a business counselor, call (210) 403-5931.

University of Texas in San Antonio (UTSA) Institute for Economic Development -- Has programs to assist potential and existing business owners. Located at 501 West Durango, San Antonio, TX 78207. Please call the appropriate number below for an appointment or for information on each program.

Small Business Development Center -- Provides confidential business counseling at no charge, presents a variety of monthly business workshops as well as other training programs to assist existing and potential small business owners develop their management skills for a better chance at success. (210) 458-2460.

Minority Business Development Center -- Offers consulting services such as business plan development, loan packaging, and marketing and feasibility studies, SBA. 8(a) package preparation, construction bond package preparation, contract negotiations, match procurement opportunities, DODGE and Commerce Business Daily opportunities. Services provided on a cost share basis. Business must be in Bexar, Comal, Guadalupe or Wilson counties and must be 51% ethnic minority ownership to be eligible for services. (210) 458-2480.

International Trade Center Was specifically created to assist small to medium-sized companies explore and develop potential business opportunities in global markets. (210) 458-2470.

Technology Center supports local manufacturing firms, technology-based companies, and product/technology development companies. The purpose is to enable small and medium-sized businesses to access and utilize technology to increase efficiency and enhance their competitive advantage. (210) 458-2464.

DEVELOP OR USE YOUR LAND Tab

DEVELOP OR USE YOUR LAND

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Fee Schedule (obtain from the One-Stop Counter or at www.sanantonio.gov/dsd)

DEVELOP OR USE YOUR LAND

Understanding Regulations of the Unified Development Code

The San Antonio Unified Development Code (UDC), Chapter 35 of the City Code, establishes how you may use your land, and how you may establish or amend rights or entitlements with regard to developing your land or to building a structure. This chapter will identify site-specific regulations and processes used to establish rights or entitlements to proceed with development.

HOW TO USE THE UNIFIED DEVELOPMENT CODE

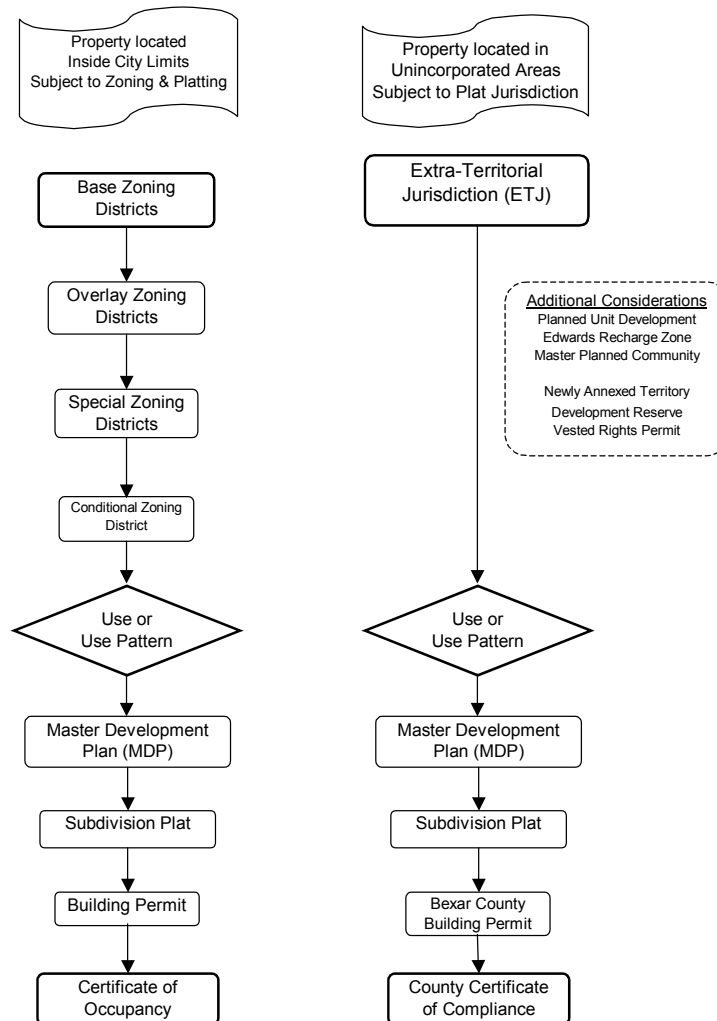
The UDC establishes standards and procedures for new development in the City. The major purpose of the UDC is to implement the City's adopted Master Plan. It provides clear rules about what is expected of applicants in order to gain approval to develop land in the City. It is also designed to streamline the approval process, removing unnecessary delay and confusing or vague standards from the process.

The UDC Use Patterns Section (Article II) consolidates the regulations applicable to *optional* forms of development. These "Use Patterns" reflect either the majority of anticipated permitting activity or patterns, such as Traditional Neighborhood Development, that the City would like to encourage. Each section describes the Use Pattern, the procedure for approval and the standards relating to approval, with cross-references to other parts of this Chapter where needed. The intent is to present a visual, user-friendly overview of the regulations that apply to those types of uses or development styles. These Use Patterns are not zoning or overlay districts, but forms (patterns) of development that may be permitted in the various zoning districts.

At the beginning of most Articles divisions, the italicized purpose statement summarizes Master Plan policies that the section is designed to implement, other relevant public policies, and fact-findings governing the section. These purpose statements provide the basis for the development standards, but are not standards. In other words, an application for approval of a development cannot be denied because of a conflict with the purpose statement. However, an application will be denied where it conflicts with the standards.

General Steps to Your Project Approval

1. Locate your land on the Official Zoning Map.
2. Learn what uses are allowed on your land.
3. Identify what zoning classification allows your specific use or uses.
4. Find out if your land contains historic resources.
5. Find out if your land is in a special location or contains environmentally sensitive or other special features.
6. Find out if your land is properly platted.
7. Identify other requirements or regulations that apply to your land.
8. Identify and become familiar with applicable Codes and their requirements.
9. Decide on the Use Pattern appropriate for your proposed project.
10. Determine the types of permits or approval review that apply.
11. Learn about the review and decision-making process.
12. Determine which procedures apply.
13. Identify the project submittal requirements.
14. Project Application Submittal

TYPICAL SAN ANTONIO DEVELOPMENT PROCESS**GENERAL STEPS TO YOUR PROJECT APPROVAL****1. Locate your land on the Official Zoning Map.**

To determine the regulations of the UDC applicable to your site, you must first find the site location on the Official Zoning Map at <http://maps.sanantonio.gov/website/Zoning/viewer.asp>. If the site is outside the city limits of San Antonio and inside the ETJ, zoning regulations do not apply and you should go to the section entitled “Extraterritorial Jurisdiction (ETJ)” and the section below on Subdivision regulations. If the site is inside the city limits, the appropriate zoning map will show the applicable base zoning district and whether the site is subject to any overlay districts or special districts, and if the site contains a historic landmark.

2. Learn what uses are allowed on your land.

Next, look up all the corresponding regulations. Start with the base zoning districts to determine which uses are allowed “by right,” allowed as a special exception, or prohibited. The Dimensional

Matrix shows the setback and building height standards that apply to the allowed uses. Refer to the Residential Use Matrix Table 311-1 and Non-Residential Use Matrix 311-2. You should also consult the Supplemental Use Regulations in section 35-370 to see additional requirements that might apply to the use you are contemplating. If the base zoning district allows your intended use and there are no overlay districts or special districts that apply to your land, go to Step 4.

3. Identify what zoning allows your specific use or uses.

If the existing base zoning does not allow your intended use, you need to know in what base zoning district a specific use may be located, and must first find its appropriate land use category. Go to the definitions in the Use Matrix to look up a specific use, listed by category (for example, retail sales or heavy industry) rather than types of business. Then, look at the Use Matrix to see the status of the particular land use. Land use categories may be allowed by right, allowed with special limitations, allowed only as a special exception (with additional conditions possible), or prohibited. Refer to the Residential Use Matrix Table 311-1 and Non-Residential Use Matrix 311-2. Also, check base zoning district regulations for Supplemental Use Regulations in section 35-370 because some uses are subject to special standards.

4. Find out if your land contains historic resources.

The City has designated certain areas as historic districts or historic landmarks in order to preserve historic resources through restoration and adaptive reuse. It also allows conservation and development interests to consider resources early in the planning process. The Historic overlay zoning districts impose additional restrictions on land over and above the zoning or other regulations that apply. The presence of historic resources on a property can be verified by the Historic Preservation Division of the Planning Department. The Historic Preservation Division is located at the Development and Business Services Center, 1901 South Alamo Street, or can be contacted at 210-207-7869.

5. Find out if your land is in a special location or contains environmentally sensitive or other special features.

On the Official Zoning map there are overlay zoning districts that impose additional restrictions on land over and above the zoning or other regulations that apply. The overlay districts also include areas in proximity to both ends of military airport runways, areas in proximity to airport flight patterns, neighborhoods designated for conservation, areas designated for view protection, areas along the San Antonio River and the Edwards Aquifer Recharge Zone. A land owner or developer must be aware of the location of his land with respect to these geographic areas by checking the City's Official Zoning Map, and TCEQ's Official Recharge Zone Map as amended time to time. If the land is located in any specifically regulated area, then he must be aware of the requirements and entitlements within each that apply.

6. Find out if your land is properly platted.

If the legal description of your land is in any other form than "Lot 1, Block 1, NCB 1" it might not be properly platted. Next, check the first page of your deed if should say "Lot 1, Block 1, NCB 1, out of the ABC Subdivision recorded in Volume 1, Page 1, Any County Plat and Deed Records." If not, it may not be properly platted. If it is in this form, it is thus likely to be properly platted.

7. Identify other requirements or regulations that apply to your land

Although the Master Plan, Transportation Plan/Major Thoroughfare Plan, Comprehensive, Neighborhood and Perimeter Plans are not themselves regulations, they are used as guidelines in implementing policy and as a framework for amendments or for new regulations. Therefore, the plans must not be overlooked by a developer when acquiring land or when planning and developing land. In addition to the plans, other regulations might not be geographic area specific, but are function-specific to achieve goals and objectives, to regulate nuisances, to protect resources, to maintain safety and to promote the general welfare. The project or type of use proposed could very well be subject to additional regulation. The City has the goal-oriented regulations, such as the Major Thoroughfare Plan; safety- and nuisance-oriented regulations that cover traffic, airport hazards and drainage; regulations to protect resources, such as Tree Preservation. There are also regulations born of necessity such as off-street parking and loading requirements, curbs and sidewalks. Each of these regulations is discussed in this section.

8. Identify and become familiar with applicable Codes and their requirements.

In addition to the Unified Development Code, Chapter 35 of the San Antonio Municipal Code, there are other codes that apply to construction, alteration, moving, removal, demolition, repair, conversion, maintenance and use of all buildings or structures in San Antonio. Other chapters of the Municipal Code include Chapter 28 (Sign Ordinance), Chapter 34, Water Quality. The City of San Antonio has also adopted model codes, including the International Building Code 2003 edition, the International Fire Code 2003 edition, the Uniform Mechanical Code 2003 edition, the Uniform Plumbing Code 2003 edition, the National Electric Code 2002 edition, the International Energy Conservation Code 2000 edition, International Residential Code 2000 edition, and Guidelines for the Rehabilitation of buildings 1st printing, 2001 edition, In Chapter 13, Food and Food Handlers; and Chapter 15, Health.

9. Decide on the Use Pattern appropriate for your proposed project.

The Use Patterns available in the UDC are not zoning districts or overlay zoning districts or special zoning districts. Instead, they are *optional* forms of development that may be permitted in the various zoning districts. Use Patterns are specific land use activities that involve specific land uses and design controls that produce a discrete pattern of development.

10. Determine the types of permits or approval review that apply.

The Unified Development Code establishes four categories of permits and approvals: development permits, subdivision approvals, policy approvals and building permits. Before proceeding with a building permit application, you should determine if a development permit, subdivision approval or policy approval is required for your development. If applicable, these approvals are needed before a building permit may be issued.

- Development Permits require that architectural and/or site plans be submitted for review. The staff or appropriate body must exercise discretion in deciding whether the proposed development meets the applicable regulations, standards and guidelines. In many cases, a public hearing will be required prior to approval of a development permit. If required, a Development Permit must be obtained before a building permit application can be made. A “development permit” includes: a subdivision plat, a conditional use permit, a building permit, or a certificate of occupancy. A “development permit” does not include a certification of completeness, a letter of certification, an amendment to the text of the UDC, or a rezoning.

- Subdivision Approvals regulate the division and/or platting of land in the City and its extraterritorial jurisdiction as well as the associated design and improvements proposed, the acquisition and dedication of public rights of way and public easements. Some Subdivision approvals are administrative and do not require a public hearing. Those that are discretionary in terms of decision-making do require a public hearing.
- Policy Approvals are requests to amend existing city policies such as changing a zoning designation of land or amending a community, neighborhood or perimeter plan. Policy Approvals require a public hearing. . A “policy approval” includes a certification of completeness, a letter of certification, an amendment to the text of the UDC, or a rezoning.
- Building Permits require that final construction documents be reviewed before a permit can be issued. The review is ministerial and is approved by Development Services Department staff if all code requirements are met. It is denied if code requirements are not met. A building permit is “A license, certificate, approval, registration, consent, permit, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought.” (Source: VTCA Local Government Code § 245.001).

11. Learn about the review and decision-making process.

Most projects are required to be submitted for plan review. Some minor projects can be reviewed at the One Stop Counter. Common minor projects include: one-story residential additions and accessory structures, minor interior remodeling for commercial tenants and standard public improvements.

Applicants for permits and other approvals are reviewed through one of the decision-making processes. The zoning classification of the site and the nature, scope and location of the proposed project determine the process that will be followed for each application. If more than one decision-making process is required for your project, then they are consolidated (except for the lowest process), and taken to the highest decision-making level. The decision-making processes vary in submittal requirements, review time and cost. Designing a project under certain decision-making processes could save an applicant or developer considerable time and money in the review and approval process.

12. Decide which Use Pattern to follow and determine which procedures apply.

Each section of Procedures (UDC Article 4) for a specific type of permit includes a subsection entitled "**Applicability**." This describes situations where a particular process is needed. If the section does apply, consult other subsections to find out in detail how an application is initiated, how an application is processed, the criteria for review, and cross-references to other parts of the UDC. Most sections have a subsection entitled "**Scope of Approval**" which describes the rights granted to an applicant by approval of the permit. Not all permits entitle you to begin construction, but simply permit you to proceed to the next step in the approval process.

13. Identify the project submittal requirements.

In reviewing the Development Process Manual, use the information you have collected to determine which forms, documents and plans must be submitted for project review and approval. Initially, the reviewer will conduct a “Completeness Review” to determine if all materials and processing fees needed for the application are submitted and in acceptable form. When the Completeness Review is concluded and all materials are submitted, City staff will then review for accuracy of the information submitted. At this point, the application is fully submitted and the review time clock officially starts.

14. Project Application Submittal.

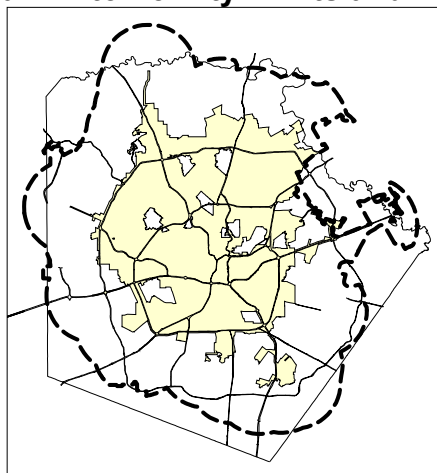
After initial Plan Review is conducted by the staff of Development Services, it is distributed to other reviewing and certifying departments and entities as required by the nature of the project. If the application successfully passes the "Completeness Review," the project will proceed in one or more of the following:

- Ministerial approval by the Director.
- Public hearing before the Planning Commission with approval or denial
- Public Hearing before the Zoning Commission with recommendation the City Council
- Public Hearing before City Council with approval or denial

EXTRATERRITORIAL JURISDICTION (ETJ)

State statutes provide that home rule cities, such as San Antonio have limited jurisdiction for regulation of development beyond their corporate limits. The ETJ covers a five-mile radius from the City limits. The primary control the City has in the ETJ is subdivision regulation. A land owner or developer whose land is not in the City Limits of any City, but in the ETJ will not be subject to the City's Zoning Regulations or Building Permitting Requirements (Bexar County Building Permitting Requirements may apply). Land owners in the ETJ need not consult the Use Matrix or the Dimensional Table in order to determine what is permitted on their land. However, the land is subject to the City's Subdivision Regulations, the Tree Preservation Ordinance, the requirements of Article 5, which govern infrastructure improvements, natural resource protection, and parking and storage and may be subject to future annexation. By state law, the City cannot regulate the use or density of land within the ETJ. However, you may elect to develop your land according to one of the optional Use Patterns restricted through a Master Site Plan and restrictive covenants. By choosing one of these options, you may develop under alternative infrastructure standards.

San Antonio City Limits and ETJ



In addition to subdivision regulations, there are other sections of the UDC that may apply within the ETJ. Therefore, developers within the ETJ should review the following sections of this manual:

- Edwards Aquifer Recharge Zone District (ERZD)
- Planned Unit Development District (PUD)
- Master Planned Community District (MPCD)
- City of San Antonio Master Plan
- Master Development Plan (MDP) (formerly POADP)
- Master-Planned Developments

- Use Patterns/Optional Forms of Development
- Newly Annexed Territory
 - Vested Rights Permit
 - Development Reserve (DR)

Site Specific Regulations

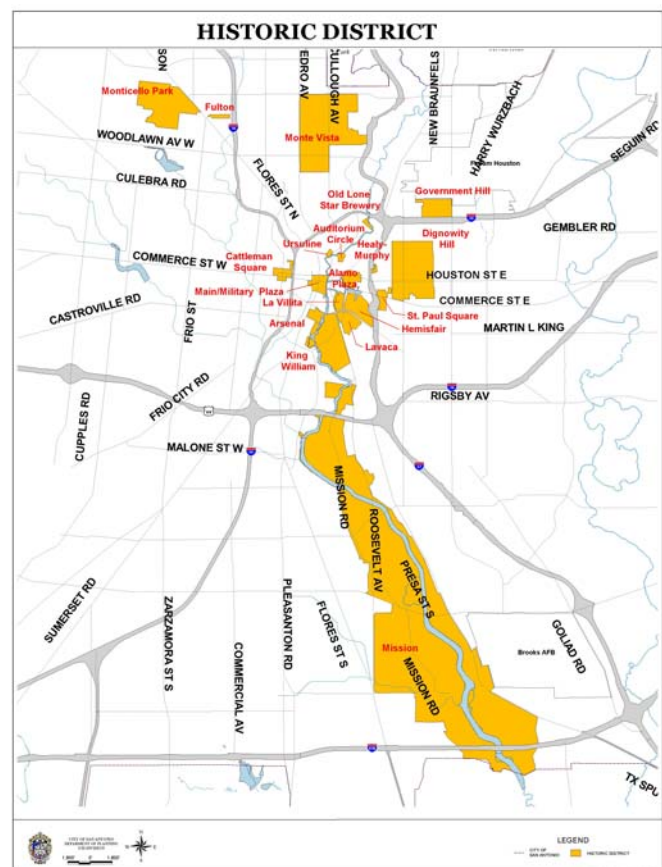
Many of the City's regulations are site or area specific, meaning they only apply within certain geographic areas. The UDC establishes *Overlay Districts* that impose additional restrictions on land over and above the zoning or other regulations that apply. The overlay districts include Historic Districts, areas in proximity to both ends of military airport runways, areas in proximity to airport flight patterns, Neighborhoods Conservation Districts, Gateway Corridors, Viewshed protection areas along the San Antonio River, and the Edwards Aquifer Recharge Zone. A land owner or developer must be aware of the location of his land with respect to these geographic areas by checking the City's Official Zoning Map, and TCEQ's Official Recharge Zone Map as amended time to time. If the land is located in any specifically regulated area, then he must be aware of the requirements and entitlements within each that apply. Following is a brief explanation of areas with site-specific regulations. The City establishes these districts to address special situations where Base district regulations are not sufficient to protect the public.

OVERLAY DISTRICTS (35-330)

Within "Overlay" Districts, the standards of both the base zoning and overlay districts apply. All land within an Overlay District is subject to these additional regulations. Regulations of the overlay district supersede the regulations of the base zoning district and may affect the uses allowed and conditions required.

Historic Overlay Districts (35-605)

The City has designated certain areas as historic districts in order to preserve historic resources through restoration and adaptive reuse. It also allows conservation and development interests to consider resources early in the planning process. In addition to the following historic districts, there are over 1,300 individual historic landmarks: (For a larger map, go to <http://maps.sanantonio.gov/website/Zoning/viewer.asp> and turn on the Historic District layer)



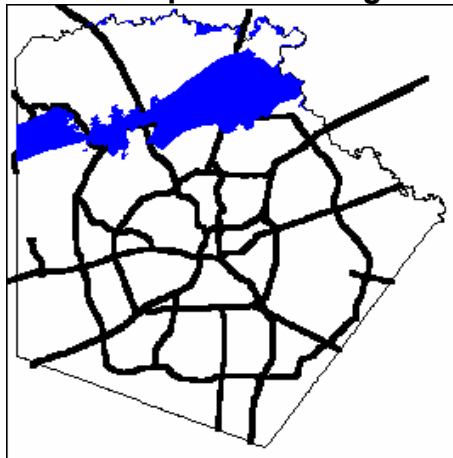
HISTORIC DISTRICTS

MONTICELLO PARK 1 & 2
OLD LONE STAR BREWERY
DIGNOWITY HILL
ST. PAUL SQUARE
URSULINE ACADEMY
AUDITORIUM CIRCLE
CATTLEMAN SQUARE
HEALY-MURPHY
KING WILLIAM
MAIN/MILITARY PLAZA
LA VILLITA
ALAMO PLAZA
HEMISFAIR PLAZA
ARSENAL
MISSION HISTORIC DISTRICT
FULTON
GOVERNMENT HILL
LAVACA

EDWARDS AQUIFER RECHARGE ZONE (35-332)

The Edwards Recharge Zone District (ERZD) has been established for locations where the Edwards Aquifer and associated limestone formations come to the surface to provide a recharge area for the underground water supply contained within these formations. This recharge zone district does not allow land uses that could adversely affect the water supply, and thereby minimizes the risk of potential occurrences where such substances could enter the water reservoir. Land uses permitted are those not having operations, production, or storage of hazardous materials that could contribute contaminants to the water supply. Properties located within this overlay district are also designated as being within one of the regular zoning districts. Authorized uses must be permitted in both the regular zoning district and the overlay district.

San Antonio/Bexar County Edwards Aquifer Recharge Zone



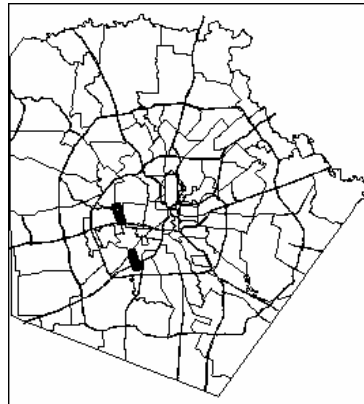
Applications for development in the ERZD are accepted by the Development Services Department. A higher processing fee is assessed (1.5 times fee for development not in the ERZD. An

environmental review fee is also assessed for review by SAWS, which will be notified of the application by Development Services. The applicant should contact SAWS at any time.

MILITARY AIRPORT OVERLAY ZONE (MAOZ) (35-334)

The City has established Military Airport Overlay Zones . . . “in order to promote the public health, safety, peace, comfort, convenience and general welfare of the inhabitants of military airport environs and to prevent impairment of military airfields and the public investment therein.” The land areas below military airport take off and final approach paths are exposed to significant danger of aircraft accidents. It is, therefore, necessary to limit the density of development and intensity of uses in such areas. Currently the only MAOZ to be established is at both ends of the Kelly USA (Kelly Air Force Base) north-south runway. Specific limitations are placed on the use of land, activities and height of structures within the MAOZ. Specific boundaries of the Military Airport Overlay Zones are shown on the official zoning map maintained in the Development Services Department. When an application is complete, the Director of Development Services notifies the Lackland AFB Base Commander and sends a copy for review. The applicant should contact the Base Facility Civil Engineer.

San Antonio/Bexar County Military Airport Overlay Zones (MAOZ)



Steps to Approval of Development in a Military Airport Overlay Zone (MAOZ)

Military Airport Overlay Zones are protection areas at each end of the primary runways at a military airport. Currently, the only MAOZ is at both ends of the Kelly AFB north-south runway. Specific limitations are placed on the use of land, activities and height of structures within the MAOZ.

1. Submit application with proposed plan drawn to scale along with appurtenant information to the Director of Development Services.
2. Staff will distribute to reviewing departments and agencies and conduct a completeness review.
3. Staff will assign an ID number to the plan and schedule for Planning Consideration within 30 days.
4. Once approved by the Planning Commission, the plan is transmitted to the respective departments for use in the permitting process.

Construction must begin within 12 months of plan approval. For detailed information on Military Airport Overlay Zones refer to UDC Section 35-334.

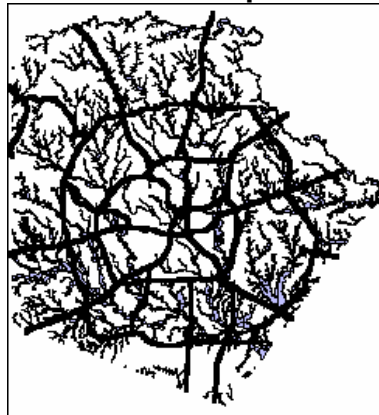
AIRPORT HAZARD OVERLAY DISTRICT (AHOD) (35-331)

Land within the vicinity of airports is subject to airport hazards and the City uses Airport Hazard Zoning to protect the public health, safety and general welfare. The Aviation Department reviews the height of structures based upon distance from the runways. Properties in the vicinity of San Antonio International Airport, Stinson Municipal Airport, Kelly USA and Randolph Air Force Base are subject to the Airport Hazard Regulations.

FLOODPLAIN (35-461)

Property in or directly abutting the delineated 100-year floodplain as shown on the effective Flood Insurance Rate maps are subject to allowable uses or development as outlined in Annex F, the City of San Antonio Floodplain Ordinance. All activities within the 100-year floodplain require a Floodplain Development Permit. For information, contact Storm Water Engineering of Public Works at 207-8052.

San Antonio/Bexar County FEMA Floodplains



NEIGHBORHOOD CONSERVATION (OVERLAY) DISTRICT (NCD) (35-335)

The City Council desires to preserve, protect, enhance, and perpetuate the value of the many unique and distinctive residential neighborhoods and commercial districts that contribute significantly to the overall character and identity of the City. Neighborhood Conservation Districts may be established by the City at the request of a neighborhood group during a competitive application process. After the public input process to establish a boundary and specific design standards, the NCD is approved by the districts are indicated on the Official Zoning Map. Design standards to all permits subsequently applied for within the district. To date, the following NCDs have been adopted:

- NCD-1 S. St. Mary's/S. Presa
- NCD-2 Alta Vista
- NCD-3 Ingram Hills
- NCD-4 Whispering Oaks

Steps to Approval of Neighborhood Conservation District

1. Applicant submits building permit application materials to Development Services.

2. Development Services forwards materials to Planning Dept for review
3. Planning Department issues or denies Certificate of Compliance.
4. Planning annotates compliance on building permit application.

Building permits shall not be issued without Certificate of Compliance.

VIEWSHED PROTECTION (VP) (OVERLAY) DISTRICT (35-337)

This district establishes regulations to protect, preserve and enhance of views and vistas within the City by authorizing and establishing viewshed protection districts. The City of San Antonio has many views and vistas of historic places, landmark buildings, and other sites of cultural importance that have always been important to the city. New development in the vicinity of these important places is usually beneficial, but when construction becomes too tall and begins to overwhelm or intrude in scale and mass into the main view or vista of a smaller place of significance, then the viewshed located behind or in front of the significant land should be protected. Viewshed protection districts are overlay zoning districts established by the City for unique situations regarding views and vistas that are not adequately covered by standard zoning districts. Each VP will have specific regulations to achieve its purpose. To date, the following VPs have been adopted:

1. VP-1 Alamo View Shed

RIVER IMPROVEMENT OVERLAY DISTRICTS (RIO-1 thru RIO-6) (35-338)

River Improvement Overlay Districts protect, preserve and enhance the San Antonio River by establishing design standards and guidelines for properties located near the river. The districts cover a total of six geographic areas spanning the river from its northern boundary near Hildebrand Avenue, to a southern boundary near Mission Espada . Procedures for project approval will follow those for projects within a Historic District.

CORRIDOR OVERLAY DISTRICTS AND FACILITY PARKING DISTRICTS

Corridor Overlay Districts are a means to preserve, enhance and perpetuate the value of roadway corridors that are significant to the City in terms of shaping neighborhoods, serving as historic entries, or because of surrounding natural, historic, cultural and aesthetic areas. Corridors can be up to 1000' wide on both sides of the street right of way. The following have been designated as: Corridor Overlay Districts:

GC-1 Hill County Gateway Corridor District (IH-10 from UTSA Blvd to the City Limits)

Facility Parking Districts are a means to establish regulations to regulate parking and traffic in and around large facilities that attract large amounts of vehicle traffic. These districts can regulate parking in areas not properly zoned for commercial parking; reduce aesthetic and traffic problems for persons and businesses in these areas; reduce visual blight, congestion, and wear and tear on city streets; and increase access for emergency vehicles in these areas. In these areas, commercial parking lots are required obtain a permit from Development Services. This permit is good for period of one year and must be renewed if the commercial parking operation is continued. The following have been designated Facility Parking Districts:

EP-1 (SBC Center)

Other Requirements and Regulations

The Unified Development Code (UDC) is a comprehensive and unified set of regulations for the development of land within the city and ETJ. The City not only has jurisdiction in these areas, but also a responsibility to establish goals, objectives and policies for future development of the Extraterritorial Jurisdiction territory. The regulations embodied within the UDC are some of the TOOLS the city can use to accomplish goals and objectives, and to implement the stated policies. Although the Master Plan, Comprehensive, Neighborhood and Perimeter Plans are not themselves regulations, they are used as guidelines in implementing policy and as a framework for amendments or for new regulations. Therefore, the Plans must be considered by a developer when acquiring land or when planning and developing land.

In addition to the plans, other regulations might not be geographic area specific, but are function-specific to achieve goals and objectives, to regulate nuisances, to protect resources, to maintain safety and to promote the general welfare. Discussion in this section focuses on other requirements and regulations that a land owner or developer must become aware of when contemplating his development proposal. The project or type of use proposed could very well be subject to additional regulation. In this section we have the goal-oriented regulations particularly the Major Thoroughfare Plan. We also have the safety- and nuisance-oriented regulations that cover traffic, airport hazards and drainage. We have regulations to protect our resources, such as the Tree Preservation Ordinance. There are also regulations born of necessity such as off-street parking requirements, curbs and sidewalks. Each of these regulations is discussed in this section.

MASTER PLAN (35-105)

The Planning Commission and City Council adopted the City's Master Plan policies in 1997. The primary purpose of the 2001 UDC is to implement the adopted Master Plan policies.

NEIGHBORHOOD, COMMUNITY AND PERIMETER PLANS (35-105 and 35-420)

The initial neighborhood planning process was established in 1982 for the purpose of allowing neighborhoods to organize and plan their area and incorporate the Plan into one that is suitable for official recognition. Several Neighborhood Plans have been adopted and have become integral parts of the Master Plan. In zoning and other issues, it is important for a developer or builder to gain neighborhood support, and consider the goals expressed in the Neighborhood, Community, or Perimeter Plans.

A recommendation of approval by the Planning Commission and adoption by City Council as a component of the City's Master Plan, gives Neighborhood Plans, Community Plans, and Perimeter Plans the legal effect of the Master Plan. The recommended comprehensive rezoning of an area must be consistent with the adopted Neighborhood Plan, Community Plan or Perimeter Plan. In addition, the evaluation of rezoning requests for individual parcels is guided by the land use proposed in adopted Neighborhood, Community or Perimeter Plans. The provisions of this subsection shall apply only to those Neighborhood Plans, Community Plans, and Perimeter Plans adopted by the City Council as amendments to the City's Master Plan. Previously adopted plans referenced herein by their title and dates of adoption in which the comprehensive rezoning of an area and rezoning requests of individual parcels shall be consistent (unless and until such plans are repealed or superseded by an amendment or a new plan adopted pursuant to this Section) are:

1. Camelot 1 Update Neighborhood Plan (September 23, 1999)
2. Downtown Neighborhood Plan (May 13, 1999)
3. Five Points Neighborhood Plan (February 3, 2000)
4. IH-10 East Corridor Perimeter Plan (February 22, 2001)
5. Midtown Neighborhoods Plan (October 12, 2000)
6. Northwest Community Plan (September 24, 1998)
7. Northeast Inner Loop Neighborhood Plan (March 22, 2001)
8. Oakland Estates Neighborhood Plan (August 31, 2000)
9. River Road Neighborhood Plan Update (August 17, 2000)
10. South Central San Antonio Community Plan (August 19, 1999)
11. Westfort Alliance Neighborhood Plan (September 25, 1997)

In addition to the plans adopted pursuant to this Section, the following plans referenced herein by their title and date of adoption may be considered as a guide in evaluating a comprehensive rezoning or a rezoning request (see § 35-421(e)(1) of this Article) unless and until such plans are repealed or superseded by an amendment or a new plan adopted pursuant to this Section:

1. Alamo Farmsteads Neighborhood Plan (December 22, 1994)
2. Alamodome Neighborhood Plan (May 13, 1993)
3. Jefferson Neighborhood Plan Update (November 20, 1997)
4. Mahncke Park/Narcissa Place Neighborhood Plan (August 11, 1983)
5. Meadow Village Neighborhood Plan (February 25, 1993)
6. Monte Vista Neighborhood Plan (July 7, 1988)
7. North Shearer Hills Neighborhood Plan (April 8, 1993)
8. South Riverbend Neighborhood Plan (January 21, 1988)
9. Tanglewoodridge Neighborhood Plan (April 28, 1994)
10. Tobin Hill Neighborhood Plan (September 24, 1987)
11. Woodlawn Hills/Ingram Hills Neighborhood Plan (June 4, 1992)

Plans not adopted as amendments to the Master Plan, may be considered as a guide in evaluating a comprehensive rezoning or a rezoning request until such plans are repealed or superseded by an amendment or a new plan adopted as an amendment to the Master Plan.

PARKS/OPEN SPACE STANDARDS (35-503)

Parks and open space provide valuable assets to the urban form of the City, its historical development, and general welfare of its residents. Consistent with the historical development of the City, it is intended that parks and open space should provide focal points for new communities. A central square or green, for example, may comprise a majority of the area required for dedication. Parks and Open Space Standards apply to any application for residential subdivision plat approval, unless it is for fewer than 25 residential lots; is an infill development; or there is a surplus of park and open space land within the parks planning area.

The Master Plan requires new subdivisions to include parks or to pay fees in lieu of providing parks. Developers may opt to show parks on a Master Development Plan to facilitate the phasing of subdivision plats filed pursuant to the Master Plan. This allows some plats to be approved without individually complying with this policy, so long as the requirements are met for the entire development subject to the Master Development Plan. The applicant and the City may also execute a deferment contract that provides for parks/open space during a future phase of the development. The plan is reviewed for open space connectivity and private parks may be allowed.

CONNECTIVITY STANDARDS (35-503(i) and 35-506(e))

The City has determined that an interconnected system of parks, trails, greenways, and bikeways provides a greater public benefit than isolated parks with access exclusively by

automobiles. Accordingly, incentives are provided for developers to link parks and open space provided pursuant to this section with park and open space areas. It is not the City's intent to require developers or land owners to provide a general public benefit, but rather to create incentives for creativity in the design of parks and open space as well as creative opportunities to meet connectivity requirements.

Discontinuous Street systems are inefficient and have the effect of channeling traffic onto relatively few points of the transportation network. This section provides for both external and internal connectivity. External connectivity is promoted by requiring developers to connect to the existing Street network. Internal connectivity is promoted by requiring a connectivity index for internal Streets. The connectivity index preserves the opportunity to provide cul-de-sacs while, at the same, maintaining the integrity of the network as a whole. The Connectivity Index is calculated by dividing the number of street links in the project by the number of nodes. A minimum index number of 1.2 is required for all projects. (35-506(e))

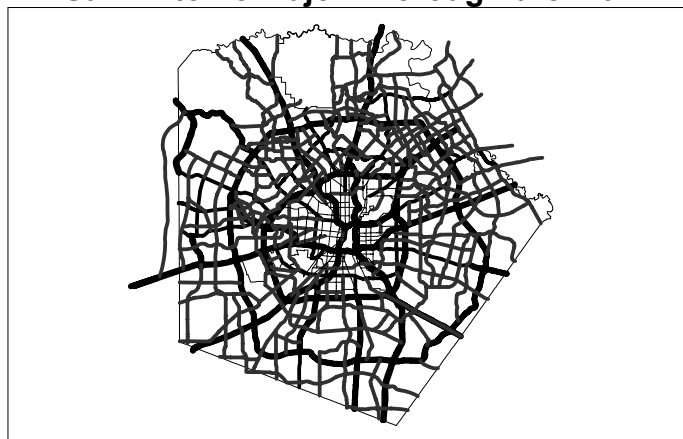
TRANSPORTATION AND STREET DESIGN (35-506)

This Section prescribes minimum design standards for Streets within new subdivisions, developments requiring site plan approval, and for developments requiring a zoning permit. Unlike the situation in traditional subdivision regulations, one intent is to permit narrower street widths while requiring greater connectivity in order to more efficiently disperse traffic, protect pedestrians from high vehicular speeds, and to enhance the Streetscape. Streetscape planting is also enhanced. For Conventional Subdivisions, Commercial Centers, and Applications for Development Approval within conventional zoning district, the existing Street widths and design standards are retained in order to accommodate the heavier traffic levels and greater reliance on vehicular travel.

MAJOR THOROUGHFARE PLAN (35-105)

The City's Major Thoroughfare Plan provides a framework for the alignment and construction of major thoroughfares in the City and its ETJ. Development proposals must be reviewed by the Planning Department to ensure compliance with the Plan. This review occurs during the review of MDPs, PUDs, plats and other development related plans.

San Antonio Major Thoroughfare Plan



TRAFFIC IMPACT ANALYSIS (TIA) (35-502)

For all new commercial construction and zoning applications, a traffic impact analysis worksheet must be submitted the Department of Development Services. Staff will determine whether or not an actual traffic impact analysis study will be required. The basis for the TIA study is whether or not you exceed a threshold of 100 vehicle trips in your peak hour. Every building plan set must have a Traffic Impact Analysis (TIA) Threshold Worksheet submitted with its application.

OFF-STREET PARKING AND STORAGE REQUIREMENTS (35-525 and 35-526)

Off-street parking requirements are established to ensure that there is adequate parking at places of activity, and in some cases may provide for minimum and maximum spaces, and that they meet minimum size, location and construction standards. Sufficient amounts of properly designed off street parking should be provided for the land use intended. Parking layouts must be designed to allow easy internal maneuvering as well as ingress and egress from the parking area without backing into the street or sidewalks.

Submit a parking layout so that all spaces can be reviewed for all new commercial construction or for a change in use of an existing building. Requirements regarding the number and size of off-street parking spaces are established in the Unified Development Code. Sections 35-525 through 35-527 of the UDC establish the regulations that commercial developments must adhere to in providing parking and storage facilities including a minimum number of parking spaces, a minimum number of bicycle spaces, and the maximum number of parking spaces permitted.

Off-street parking facilities must be provided for all uses except where otherwise indicated in 35-526. The location, design, and number of spaces must meet the requirements of 35-525. In the event a use is enlarged or expanded, the amount of off-street parking facilities that would be required if the increment were a separate use must be provided.

Outdoor Storage Standards apply to the keeping, in an unroofed area, any goods, junk, material, or merchandise in the same place for more than twenty-four (24) hours. Outdoor Storage is divided into five class categories as defined in 35-525.

The Texas Accessibility Standards, to include handicap parking, wheel chair ramps, and sidewalks must be complied with in all plans submitted for review. Accessible spaces shall be provided in each parking area where parking is required, for self-parking by employees or visitors, or both.

Storm Water Management Requirements (35-504)

Storm water management plans are required with new development or significant redevelopment in order to provide adequate measures for the retention, detention and distribution of storm water runoff in a manner that minimizes the possibility of adverse impact on both water quantity and water quality both during and after development. The storm water management requirements work in unison with the following policies of the Master Plan:

- Natural Resources, by retaining the floodplains as natural drainage ways, reducing impervious cover, preservation of riparian habitat etc.
- Urban Design, through design and construction standards that reinforce neighborhood centers.

Options available for participation in the RSWMP include:

- Payment of a fee in lieu of on-site detention
- Construction of a regional storm water facility to mitigate an existing flooding problem within the same sub-watershed, or
- Construction or participation in the construction of a regional storm water facility to mitigate increased storm water runoff as a result of ultimate development of the watershed.

Participation in the RSWMP is at the discretion of the Director of Public Works.

Regional Storm Water Management Program Participation Fee Schedule - This storm water development fee is a one-time drainage charge assessed against the developers who receive approval to participate in the RSWMP. This charge will be assessed at either the platting or permitting step for properties platted after May 18, 1997. This charge is assessed in both the City of San Antonio corporate boundaries and within the boundaries of the Extra Territorial Jurisdiction of the City of San Antonio.

The fee schedule is determined by acreage and property use according to the following schedule:

Development Type	Minimum Fee
Detached single family and two-family duplex residential developments	\$1,200 per acre or \$750 per lot, whichever is less
Residential development other than single family or two-family developments	\$1,600 per acre
Nonresidential with less than 65% impervious cover	\$2,600 per acre
Nonresidential with more than 65% impervious cover	\$3,000 per acre

These fees will not be assessed against drainage easements or rights of usage (if either is in a pervious condition) or permanent detention facility. As part of the Storm Water Management Plan required in Section 35-504 of the Unified Development Code, the developer shall request to participate in the RSWMP by filing a participation form. The Regional Storm Water Management Participation Form is provided either at the Development and Business Services Center or from Storm Water Engineering, 7th Floor of the Municipal Plaza Building.

All fees are as of October 1, 2000 and are subject to change.

STORM WATER POLLUTION PREVENTION

Storm water discharges from construction activities including clearing, grading and excavation are covered under TCEQ regulations under the TPDES program on March 5, 2003 as being "storm water associated with industrial activities" if the activities result in the disturbance of one or more acres of total land area, including areas part of a larger common plan of development

for sale. Storm water discharges from construction activities including clearing, grading, and excavation activities that result in the disturbance qualifies as an industrial activity.

Steps to Approval and Compliance With Storm Water Requirements

1. Develop sediment and erosion controls for the site.
2. Develop storm water management measures including a Storm Water Pollution Prevention Plan (SWP3) and submit with plat application or building permit application. Make the SWP3 available to SAWS personnel during site inspections.
3. File a Notice of Intent (NOI) or Construction Site Notice (CSN) with TCEQ, at least 48 hours prior to starting an approved construction activity and at least 48 hours prior to a new individual taking over as the site 'operator'. Send copy of NOI to SAWS.
4. Install appropriate best management practices (BMPs) correctly and in a timely manner.
5. Perform inspections biweekly and after a 1/2" rain event. Maintain BMPs in good working order and keep the SWP3 plan current.
6. File a Notice of Termination (NOT) and remove controls when the project meets the TPDES definition of "final stabilization" or is totally completed.

Submittal Requirements for Storm Water Pollution Prevention Plan (SWP3)

SITE INFORMATION

1. Existing soil conditions and runoff water quality
2. Location of existing waters on the construction site
3. Information on Endangered Species on the site
4. Name of the receiving waters
5. Latitude and Longitude coordinates

SITE PLAN CONTENTS

1. Description of the construction activity.
2. Description of the intended sequence of events for major activities, which disturb soils.
3. Designate areas of construction. Specify areas that are not to be disturbed.
4. Specify entry and exits, location for equipment, storage, waste disposal areas, major structural and nonstructural controls, surface water flow direction, etc.
5. Include topography, slopes, drainage patterns, existing storm drains and discharge points.
6. Measure area, determine drainage patterns, and calculate runoff coefficient.

EROSION & SEDIMENT CONTROL PLAN CONTENTS

1. Select erosion and sediment controls based on the most appropriate for the site.
2. Indicate the control measures you will use and mark their location on the site map. Make and date plan revisions as needed.
3. Prepare a biweekly inspection and maintenance plan (include comment and signature area).
4. Additional stabilization measures are required if an area sits idle for more than 14 days. Where construction activities will resume within 21 days, stabilization is not required until activities cease.
5. Certify the plan. Signature of an authorized representative must review and certify that the information is true, and assume liability for the plan.
6. For sites with a common drainage location that serves an area of 10 or more disturbed acres at one time, a temporary sediment basin providing 3600 cubic feet of storage per acre drained is required, (or equivalent control measures until final stabilization is reached).

Plan Location

A copy of the SWP3 plan must be kept on the construction site from the time the project starts until it reaches final stabilization. The plan must be available to the inspector. Operators must retain records for 3 years following project completion.

SUBMIT THE NOTICE OF INTENT (NOI)

Following completion of the SWP3, site operators must submit their NOI or CSN at least 2 days prior to starting a project. Send the original to EPA by registered mail with return receipt at the address on the back of NOI form. Fax or mail a copy of the NOI to SAWS (the local MS4 operator).

Construction/Implementation

Implement erosion and sediment controls specified in the SWP3, insure proper installation of controls by performing and documenting regular inspections. The TPDES general permit requires inspection by a qualified inspector every 14 days or within 24 hours of a storm event (0.5 inches or more). Keep all controls in good operating condition until final stabilization. Record all inspections and keep with the SWP3. Correct any deficiencies in the SWP3 before the next inspection to avoid penalties. Minimize the off site vehicle tracking of sediment and the generation of dust.

Update/Change The Swp3

The SWP3 must accurately reflect any day-to-day changes at the site. Revise the plan to show any changes the operator makes to correct measures that are not effectively controlling/minimizing pollutant discharges from the site.

Notice Of Termination (NOT)

The NOT is submitted under two conditions:

1. After "final stabilization" and the facility no longer discharges storm water associated with construction activities; **or**
2. When there is a change of site operator.

Environmental Protection Agency Region 6: www.epa.gov/earth/r6/6en/w/sw/home.html

T.C.E.Q.: www.tceq.state.tx.us/publications/gi/145/ch11.html

S.A.W.S.: www.saws.org (an interactive BMPs site is available under functions link - "TGM")

For information on BMP's: www.txnpsbook.org/

SAWS CONTACTS

Resource Compliance Division, Robert Martinez, Manager	704-1103
Construction Compliance Section, Phil Handley, Supervisor	704-7467

Storm Water Quality Specialists

Central Bexar County	Ed Griffin	704-1162
	Albert Vargas	704-1159
Western Bexar County	Johnny Avina	704-1166
	Robert Morales	704-1163
Eastern Bexar County	Erik Hobson	704-1149
	Kathy Prenzler	704-1165

Fax: (210) 704-7596

SAWS Mailing Address: P.O. Box 2449 San Antonio, Texas 78298-2449

SAWS Physical Address: 1001 E. Market St. San Antonio, Texas 78205

TREE PRESERVATION PERMITS (35-523)

Provisions of the UDC 35-523 apply within the City and its ETJ at the platting and building phases. Compliance with the Tree Preservation Ordinance is required before any site work is initiated including clearing and grading. It is implemented for site work, platting of land, new construction and additions 2,500 sq. ft. or greater including parking lots. A Tree Stand Delineation plan is required at the Master Development Plan (MDP) phase of development.

Steps to Approval of Tree Preservation Permit

1. Submit application for tree affidavit/permit along with all necessary documentation to Development Services.
2. Submit plan on a separate sheet labeled TP with site plan, property line, setbacks, rights-of-way, easements, locations of proposed buildings, elevations (topography), other infrastructure components and protected trees.
3. Fees are required to be paid upon submittal before the packet is reviewed.
4. A completeness review will determine if all of the documentation needed for the technical review is included. If deemed incomplete, the applicant will be notified of deficiencies.
5. The packet will be reviewed for accuracy and compliance.
6. An inspector will visit the site to review and verify the information.
7. Site work prior to construction constitutes a violation and the permit will be double-feed. Other penalties may be applicable.
8. If the tree preservation plan is accurate and meets the standards a affidavit/permit will be approved and issued, or applicant will be notified of denial and what is necessary to bring the application into compliance. Additional fees can be required for incorrect submittals.
9. Provide protective fencing prior to the initiation of site/construction work and call for a fence inspection and pre-construction meeting with the inspector. Protective fencing must remain in place until construction is completed.
8. A final inspection is required for the Certificate of Occupancy and can include both tree preservation and landscape.

Tree Preservation Plan – includes the completed Tree Affidavit/Permit Application; the tree survey showing the protected trees (each with an identifying number), indicating which ones will be removed and which ones will be preserved; the inventory with the calculations and the Tree Protection specifications and details. Three sets of the tree survey (site plan)and inventory are required for building permit submittals.

Tree Affidavit/Permit – The form used for compliance is the Tree Affidavit/Permit application. the applicant should choose one of the following four options under the appropriate ordinance.

1. *No Significant, Heritage, or Historic trees; OR*

2. *This work will in no way cause the destruction of or damage to any Significant, Heritage, or Historic trees located in a Historical Overlay District; OR*
3. This site is exempt from the 1997 Tree Preservation ordinance. A Vested Rights Permit # is required (See Vested Rights Permit section below). Note a VRP # is also required to be vested from the 2003 ordinance.
4. *Has Significant, Heritage or Historic trees that will be removed from areas to be inventoried*

Plan Requirements –Minimum requirements for Tree Protection Notes or Specifications similar to those shown on the tree preservation plan may be obtained at the One-Stop Counter.

LANDSCAPING, BUFFERS, STREETScape (35-510 and 35-511)

The purpose of these landscaping, streetscape tree, and buffer requirements is to provide standards that will protect the health, safety and general welfare of the public, enhance land values, and improve the appearance of the community, preserve natural resources, trees, and native plants and maintain the ecological balance of the area.

Buffering in 35-510 provides landscaped separation between residential and nonresidential uses and to screen from view certain land uses that may create visual clutter and distraction. The standards of this section provide for increases in the width and the opacity of the buffer yard as the land use intensity of the new or expanded development increases.

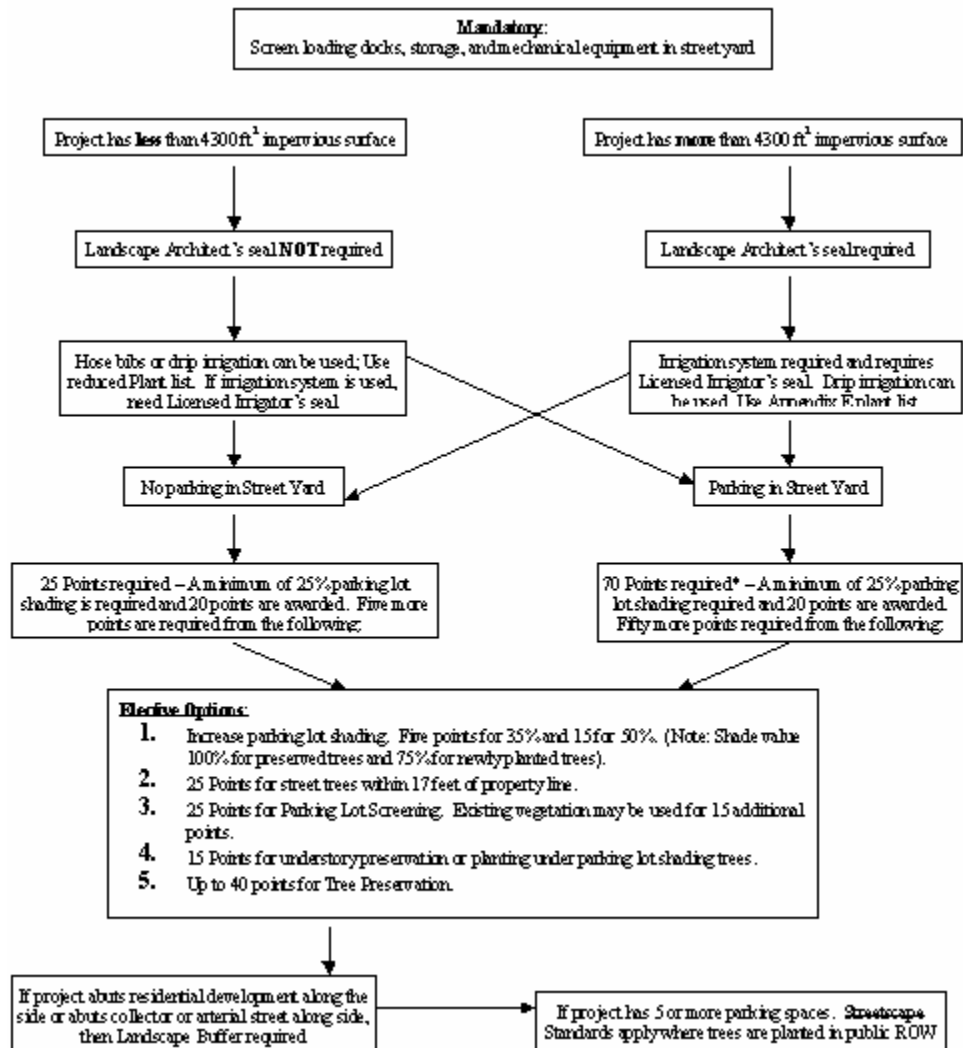
This section applies to the construction or erection of any new building or structure for which a building permit is required; any enlargement exceeding one thousand (1,000) square feet or ten (10) percent in area, whichever is greater, of the exterior dimensions of an existing building for which a building permit is required; and/or any construction of a new parking lot or expansion of an existing parking lot within the Street Yard by more than two thousand (2,000) square feet or ten (10) percent in area whichever is greater.

The landscape plan must meet mandatory requirements of screening, caliper of new trees, mulching, irrigation, distance from pavement in street yard, relationship to overhead utility easements and protection from damage. In addition, landscape plans must earn a minimum of 70 points using a point system. Landscaping review fees are incorporated in the building permit review.

Streetscape Planting Standards (35-512)

In addition to developments subject to the Landscaping Standards, the following are subject to the Streetscape Planting Standards: all developments with five (5) or more parking spaces; and all developments requiring Subdivision review. Streetscape Planting Standards do not apply to any Street classification unless Street Trees are required by the Street Improvement Standards in 35-506.

LANDSCAPE, LANDSCAPE BUFFER, STREETSCAPE & IRRIGATION COMPLIANCE FLOW CHART



Fences and walls (35-514)

No fence or wall, or portion thereof, shall exceed one-hundred (100) horizontal feet in length unless one of the following architectural features visible from the paved surface of the street is provided as part of the fence: a column or pillar; or articulation of the surface plane wall by incorporating plane projections or recesses having a depth of at least one (1) foot and extending a horizontal distance not less than three (3) or more than twenty (20) feet. These provisions do not apply to a fence or wall constructed of brick, masonry, or iron fencing that is at least fifty percent (50%) open voids.

CURBS AND SIDEWALKS

The construction of standard curbs and sidewalks is a requirement in the planning process and a condition of the granting of a building permit in each of the following cases:

1. A new building or structure when curbing is in place or curb lines are established.
2. The repair or improvement of an existing building or structure when curbing is in place or curb lines established and most of the repair or improvement amounts to twenty-five (25) percent or more of the assessed evaluation of the building/structure as set by the City Tax Roll.
3. A new or an additional driveway approach is being proposed.

For further information see Curbs and Sidewalks under Miscellaneous Permits.

How to Establish Rights or Entitlements for Your Development

The first two sections of this chapter have indicated what is, and is not subject to the UDC by discussing the regulations and restrictions that affect land in certain locations and regulations affecting some proposed developments because of a City goal or because of a proposed use. This section describes how a land owner or developer can establish the right to pursue a proposed development. There are existing and pre-existing rights that must be established when the land is annexed or the zoning is changed. For some uses that become non-conforming uses, there is a procedure to continue such use for a period of time. For a project that legally began prior to a new ordinance, there is a procedure to establish the right to continue the project under the previous rules. Following those two sections is the process for establishing the right to do something new with the land. We call that section Establishing New Rights.

CONTINUING LAWFUL USE OF LAND AND STRUCTURES (Non-Conforming Rights for Non-Conforming Use)

Non-conforming rights establish the lawful right to continue a non-conforming use following annexation into the City of San Antonio. A nonconforming use is the lawful use of land existing on the effective date of this chapter or upon annexation, although such use does not conform to current zoning or the UDC. It may continue so long as it is not discontinued for a period of 12 months.

In order to establish nonconforming rights, the owner may register the nonconforming use or structure by filing a registration statement with the Department of Development Services. The registration statement must include a disclosure of the complete ownership of the land and/or structure and the owner or agent must be able to furnish all necessary information and representation as deemed appropriate by the Director of Development Services.

NEWLY ANNEXED TERRITORY (35-307)

Newly annexed territory is unique because as it is annexed, the City establishes a zoning classification. Annexed land will be zoned in accordance with procedures required by state law and 35-307. From the date of annexation until the land is zoned to a permanent zoning classification, annexed land will be zoned as a Development Reserve (DR) district, except as otherwise provided in this section. Land in the area annexed becomes subject to all city ordinances, including zoning and building permits. Some land uses that were legal in the ETJ become illegal under new zoning classifications. Land owners and developers must become aware of how their entitlements are affected by the UDC and the Building Codes. All newly annexed businesses (including apartment complexes with 5 or more units) must immediately obtain a Certificate of Occupancy.

Zoning in conjunction with annexation proceedings. The owner(s) of land being annexed to the city may apply for zoning on or after the date Council institutes annexation proceedings.

Master-Planned Developments. For any master-planned development approved as a Planned Unit Development, Master Planned Community District, Traditional Neighborhood Development, or Business Park, the City may incorporate the terms of the City approved Master Development Plan into a zoning ordinance following annexation of land.

Development Agreements. Land that is subject to a development agreement may be designated in accordance with any zoning district classifications set forth in the development agreement, and is regulated by the development agreement.

Long Range Comprehensive Plan (Master Plan). If the City adopts a Comprehensive Plan with land use categories and designation of the zoning districts related to the land use categories, it is a guide for private development as well as for public development. The owner(s) of land affected may apply for rezoning to a classification consistent with the Comprehensive Plan in lieu of a temporary zoning classification.

VESTED RIGHTS PERMIT (VRP)

The Vested Rights Permit, sometimes called “Grandfathering,” establishes the right of a land owner or developer to complete a project under the rules, regulations and ordinances that were in effect at the time the project was initiated through a permit. When vested rights have been established by permit for land within the boundaries of a project, ordinances adopted after the date the project is initiated do not apply to the project, except as specifically stated in the UDC.

Steps to obtain a Vested Rights Permit

1. Submit application for a *New Vested Rights Permit* to the Development Services Department with evidence to include one or more of the following:
 - A Master Development Plan approved by the Development Services Department and validated through platting activity.
 - A plat application that was filed with the City within the past 18 months
 - An unrecorded plat that has been approved by the city within the past 3 years
 - A Building Permit that has been approved for construction within the past 6 months
2. If the Completeness Review is successful, the Director of development Services will forward the package to the City Attorney for evaluation and approval.

The time line for new projects begins on the date of application for Vested Rights Permit submittal. The time line for old projects (prior to 2001 UDC/May 3, 2001) begins on the date that the ordinance passed.

How to Establish New Rights for Your Development

City regulations facilitate changes in existing conditions on your land to allow different types of development. A builder or developer has the opportunity to establish new or additional rights on their land by following one or more of the processes described in this chapter. This chapter covers rezoning, special planned developments, development in restricted areas, subdivision platting and utility considerations. Unless land is platted and properly zoned for the intended use, at least one of the following processes will need to be followed before a building permit can be obtained.

PROCEDURAL ELEMENTS

General procedural elements for establishing new rights common to all applications. Procedures for all applications have five common elements. Following is a description of these elements:

1. Submittal of a complete application, including required fee payments and appropriate information
2. Review of the submittal by appropriate staff, agencies, and boards
3. Action to approve, approve with conditions, or deny the application
4. Appeals to the appropriate board
5. A description of the actions authorized by the permit and the time period for exercising rights under the order or permit.

Completeness Review (35-402). The provisions of this Section apply to any application, unless otherwise provided in the regulations for the specific application or permit. A typical completeness review includes the following elements:

1. Pre-Application Conference between the applicant or his agent and the Director or his designee.
2. Application materials required in Appendix B of the UDC must be included with filing fees required in Appendix C.
3. Review procedures include completeness decision by the Director with time limits triggered by a complete application. Director has 5 days to determine completeness. Applicant may appeal Director's decision to which appellate agency has 5 days to write the final determination or application is deemed complete.

Notice Provisions. The notice requirements for each type of application for development approval are prescribed in the individual subsections of Article 4 and/or the Texas statutes. Notice requirements for certain types of public hearings are established in 35-403.

Citizen Participation Plan (35-409). The City encourages applicants to meet with surrounding neighborhoods prior to filing an application for a permit that requires review and a public hearing. Citizen participation prior to public hearings will be noted by the governing body when considering the need for a continuance. A Citizen Participation Plan is required for a PUD and optional for a MDP as well as in the ETJ. Applicant may meet with members or representatives of a neighborhood association registered with the Planning Department that includes the subject land and/or is within 200 feet of the subject land and is in accordance with the requirements of 35-420. Documentation of Citizen Participation efforts is required.

Ministerial Permits or Approvals (35-424)

Ministerial Permits or Approvals are procedures for permits that do not require a public hearing. A public hearing is not required for permits if one or more of the following reasons exists:

- If required, public hearings have already been conducted relating to the permit application, and the permit application procedure is to ensure that the proposed use complies with a previously approved subdivision plat (amending plat, minor plat no public hearing no variance), MDP, specific plan, plan amendment, or conditional rezoning (building permit, certificate of occupancy).
- The proposed use is permitted “by right” in the applicable zoning district (e.g., building permit, certificate of occupancy).
- The proposed use is subject to expedited review in order to avoid an unconstitutional prior restraint on speech (e.g., sexually oriented businesses, signs) or because of federal law (e.g., telecommunications permits).

USE PATTERNS/OPTIONAL FORMS OF DEVELOPMENT

The Use Patterns available in the UDC are *optional* forms of development that may be permitted in the various zoning districts. Use Patterns are specific land use activities that involve specific land uses and design controls that produce a discrete pattern of development. Conventional and Conservation patterns are plats subject to the process on page 65. All other use patterns are subject to rezoning process on page 53.

Conventional Subdivision (35-202)

The conventional subdivision Use Pattern has been the dominant pattern of single-family residential subdivision development in metropolitan areas in Texas and the United States for 50 years. Conventional subdivisions feature curvilinear streets and cul-de-sacs, few points of access into the subdivision, and large front yards. Provisions of this Section apply to any application for Subdivision Plat approval within a Base Zoning District or within the ETJ, except as otherwise provided.

- (a) Applicability. Applies to any application for Subdivision Plat approval within a Base Zoning District or within the ETJ, except as noted.
- (b) Processing Procedures. Processed pursuant to the review procedures for subdivision plats
- (c) Size And Location Of Site. There is no minimum or maximum size.
- (d) Uses & Density. Conventional subdivisions must comply with standards of the zoning district in which it is located, are subject to the minimum lot size requirements of the Dimensional Matrix. The provisions of this subsection do not apply to the City's extraterritorial jurisdiction.
- (e) Traffic Impact Analysis (TIA). A Conventional Subdivision must comply with TIA Standards.
- (f) Lot Layout. A Conventional Subdivision must comply with the Lot Layout Standards.
- (g) Transportation Standards and Table 202-1 for street design guidelines of Table 506-3.
- (h) Storm Water Management. Comply with the Storm Water Management Standards, 35-504.
- (i) Utilities. Comply with Utilities Standards, 35-507.
- (j) Parks & Open Space. Comply with the Parks and Open Space Standards.
- (k) Natural Resource Protection. Comply with the Natural Resource Protection Standards.
- (l) Buffers, landscaping, Streetscape Planting & Tree Preservation Standards within the City limits. Within both City limits and ETJ, comply with Tree Preservation Standards required by 35-513.
- (m) Parking. Comply with the Parking Standards of this Chapter.
- (n) Outdoor Storage. Comply with the Outdoor Storage Standards of this Chapter.
- (o) Urban Design. A Conventional Subdivision is not subject to the Urban Design Standards.

Conservation Subdivision (35-203)

A Conservation Subdivision establishes the use pattern for a developer desiring to follow unique standards for lot layouts that maximize the preservation of natural resources and open space. Established through the platting process in accordance with subdivision procedures, a conservation subdivision may be platted within a Resource Protection District, but the concepts are distinguishable. A conservation subdivision may be permitted in any Zoning District except: D, I-1, I-2, MXD, or IDZ.

Commercial Center (35-204)

A Commercial Center is the option for a developer that desires to provide shopping, service and employment opportunities within walking or driving distance of residential areas. The Center is spatially defined and concentrated in a nodal pattern, as opposed to conventional strip shopping centers. Commercial Centers feature urban design guidelines such as zero setbacks and streetscapes with windows and entryways.

Office or Institutional Campus (35-205)

An Office or Institutional Campus (Campus) is an option for a developer that desires to provide special places of employment or civic uses interspersed with open space areas and pedestrian walkways. This district is for business uses that carry on their operation in enclosed facilities where no negative impact is created outside of the boundaries of the business park district.

Commercial Retrofit Development (CRD) (35-206)

A developer should request the CRD option if he desires to redevelop an existing shopping center, big-box retail site, or other site characterized by large expanses of surface parking into a new development pattern that is pedestrian friendly, compatible with surrounding development, provides a visually attractive site design, and reduces reliance on the automobile for vehicular trips.

Traditional Neighborhood Development (TND) (35-207)

A developer should request the Traditional Neighborhood Development (TND) option in order to combine a variety of housing types with commercial and civic uses in a compact, walkable neighborhood setting. A TND may not be appropriate where severe environmental constraints, such as steep slopes, wetlands, or streams preclude street interconnections and high impervious surface coverage (such as in the Edwards Recharge Zone District, ERZD).

Transit Oriented Development (TOD) (35-208)

A Transit-Oriented Development district is for the developer that desires a more intense and efficient use of land at increased densities to provide a mixture of residential, commercial, and employment opportunities within identified light rail station areas or other high capacity transit corridors or areas served by transit. Development standards of the zone encourage a safe and pleasant pedestrian environment near transit stations with an intensive area of shops and activities, with amenities such as benches, kiosks, and outdoor cafes, and by limiting conflicts between vehicles and pedestrians. A TOD district is restricted to areas within 1/2 of a mile of a transit station.

Master Development Plan (MDP) (35-412)

A Master Development Plan as established in 35-412 is required in all instances when a tract of land within the City or its extraterritorial jurisdiction (ETJ) requests subdivision plat approval in which the entire land will be subdivided in two (2) or more plat phases or units.

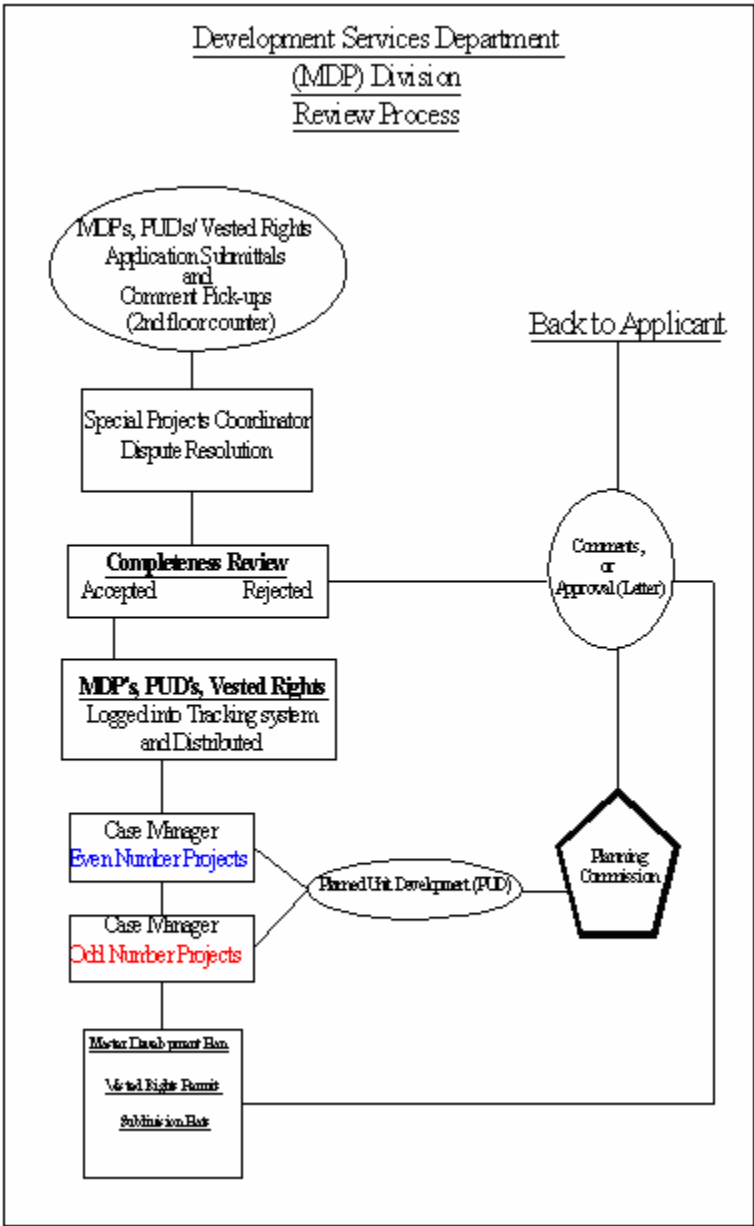
Steps to Approval of a Master Development Plan (MDP)

The Master Development Plan is a method of communication between a developer and the City. Formerly known as a Preliminary Overall Area Development Plan (POADP), the MDP will be used by the City to determine if a proposed development is in general compliance with current regulations and the City Master Plan, and to ensure adequate traffic circulation within the land to be developed and the adjoining properties. A Master Development Plan may be submitted concurrent with a rezoning application. If electing to incorporate citizen participation, an applicant for a MDP may follow the recommended procedures and submit documentation of such efforts at the earliest feasible time in the process

1. Submit application with proposed plan drawn to scale along with appurtenant information to the Director of Development Services.
2. Staff will distribute to reviewing departments and agencies and conduct a completeness review. The Director of Development Services will provide a written response indicating whether or not the Master Development Plan is complete within 5 working days after submittal.
3. Applicant files within 30 (working days) days of the mailing date of staff coma written response to any staff comments or resolve outstanding issues prior to final approval.
4. Staff will assign an ID number to the plan and schedule for Planning Consideration within 45 days.
5. Once approved by the Planning Commission, the plan is transmitted to the respective departments for use in the permitting process.
6. City staff evaluates plan for general conformance with UDC and recommends changes or accepts or rejects the plan as submitted.
7. Director of Development Services must respond in writing to the applicant within 20 working days of a complete package. The timeline for reviewing a revised MDP is 15 working days.

Accepted MDP files are maintained in the Planning Department. Subsequent & related plat filings are then matched with the plan to assure conformity. For continued recognition, a MDP must be validated by filing a plat within 18 months of the acceptance date.

MASTER DEVELOPMENT PLAN FLOW CHART



ZONING PROCESS

Zoning is the power granted to cities that allow them to establish limitations on all land and structures within the city limits. In using this power, the City of San Antonio has created “zoning districts,” which are mapped to indicate the extent of each zoning district in relation to properties. Zoning districts are used to designate allowed uses, bulk and area requirements, setbacks from Property lines and parking requirements. Regulations apply uniformly to all zoning districts in the City that have the same designation. The base zoning district designation (“zoning”) that applies to each land determines one type of regulation that will impact the use of the land.

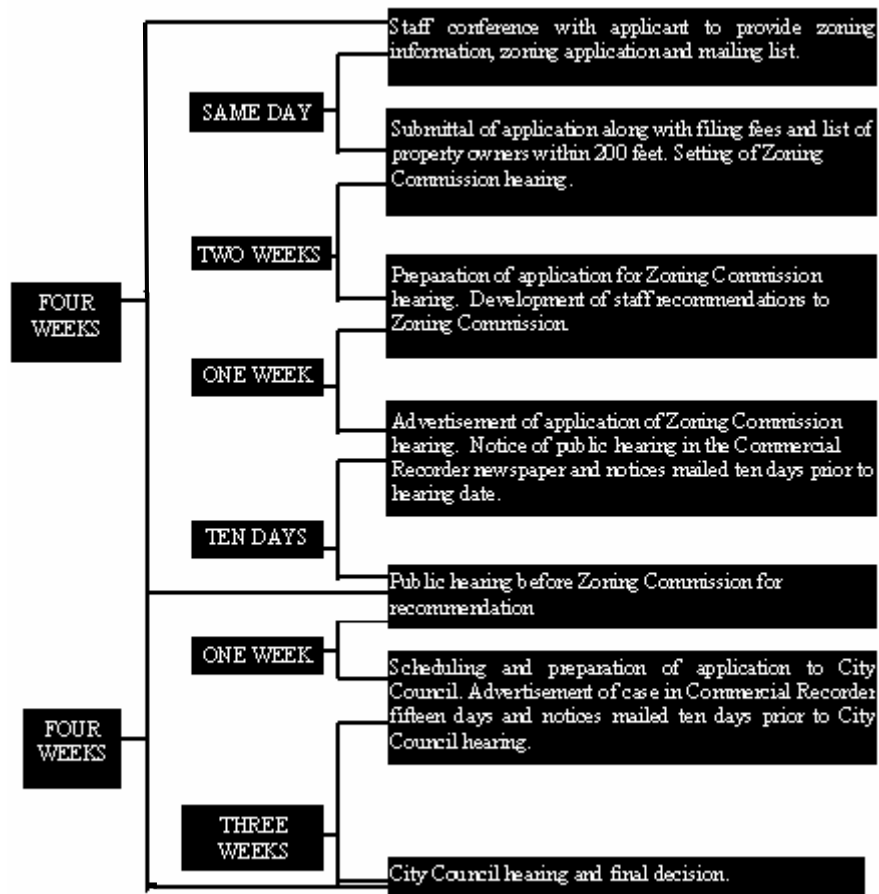
Neighborhood Plans, Community Plans and Perimeter Plans are components of the City’s Master Plan. According to 35-420, all rezonings that take place within the boundaries of these plans must be consistent with the plan.

A change in zoning classification entails two public hearings: one conducted by the Zoning Commission and one by the City Council. The applicant and or his representative must be present at both hearings to explain the purpose for the requested zoning change. If no one is present at the public hearings to explain the request, the zoning change may be denied, postponed or continued. In the event of a postponement, the applicant will be assessed a postponement fee before the request is rescheduled.

Rezoning Steps

1. Communicate information on your project to the Councilperson and the zoning commissioner in whose district the zoning case is located to
2. Submit the zoning application with all required information for completeness review, pay fees and schedule zoning public hearing date.
3. Submit amendment to Neighborhood, Community, or Perimeter Plan – if necessary.
4. Meet with neighborhood leaders and neighborhood residents to communicate information on your project
5. Zoning staff will send notices to the public ten days before the Zoning Commission hearing.
6. Attend the public hearing to state your case or answer questions. Zoning Commission will send recommendation to City Council for approval or denial of your request.
7. Schedule zoning public hearing with City Council and pay fees.
8. Zoning staff will send notices to the public fifteen days before the City Council hearing.
9. Attend the City Council public hearing to state your case or answer questions. City Council will approve or deny your request.

ZONING PROCESS FLOW CHART



(A sign of rezoning will be placed on your property.
Do not remove the sign until action has been taken by City Council.)

IMPORTANT

It is very important to contact the City Council person and the Zoning Commission member of the district in which your case is located. Your application can be denied or postponed if the City Council person or the Zoning Commission member is not aware of your request. The names and telephone numbers of the City Council and Zoning Commission members are shown below. Also, it is important to meet with any neighborhood association in which your land may be located. Staff will provide the name of the neighborhood association and the association's current contact person.

COUNCIL DISTRICT	CITY COUNCIL MEMBERS	PHONE #	ZONING COMMISSION MEMBERS	PHONE #
MAYOR	Ed Garza	207-7067	Brad Peel	349-2277
1	Roger O. Flores	207-7279	Gilbert James Kissling	735-9433
2	Joel Williams	207-7278	Willie M. Dixon	223-5913
3	Ron H. Segovia	207-7064	Helen K. Dutmer	534-0987
4	Richard Perez	207-7281	Henry R. Avila	389-2331
5	Patti Radle	207-7043	Rita Ann Cardenas-Garnez	226-5373
6	Enrique Barrera	207-7065	Christopher R. Martinez *	433-9999
7	Julian Castro	207-7044	Jody Sherrill	521-9058
8	Art A. Hall	207-7086	Dr. Morris A. Stribling, D.P.M.	224-9214
9	Carroll Schubert	207-7325	James (Jim) R. McAden **	408-1145
10	Chip Hass	207-7276	Steven B. Grau	834-1272

* CHAIRPERSON **VICE-CHAIRPERSON

Conditional Zoning (35-422) (formerly Special Use Permit (SUP))

The conditional zoning procedure allows a land use not permitted within an area by the established zoning district, but due to individual site considerations or unique development requirements would be compatible with adjacent land uses under given conditions. Granting of a conditional zoning classification is not for all uses permitted in a given district but only for the conditional use (bookkeeping office, photography studio, etc.) named in the ordinance approving the conditional zoning district.

Approval process for a conditional zoning district begins by filing an application with the Director of Development Services. The application must be signed and filed by the owner, a contract purchaser or owner's agent of land included within the boundaries of a proposed conditional rezoning. The application for a conditional use is the same as for a change in the base zoning district. If the requested use(s) is listed as a Specific Use within the conditional zoning district, approval of a conditional zoning district constitutes approval of the Specific Use. Conditional Zoning carries continuing obligations as outlined in the chapter on Occupy a Building or Space.

Specific Use Authorization (35-423) (formerly City Council approval (CC))

The purpose of Specific Use Authorization is to provide for certain uses that, because of their unique characteristics or potential impacts on adjacent land uses, are not permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in a location. These uses may be permitted through the issuance of a Specific Use Authorization permit by the City Council after ensuring that the use can be accommodated on the specific land, will be in conformance with the master plan, can be constructed and operated in a manner compatible with surrounding land uses and overall character of the community, and that the public interest and general welfare of the citizens of the City will be protected.

This applies to any application for approval of a Specific Use Authorization. Specific Use Authorizations are those uses that are generally compatible with the land uses permitted by right in a zoning district, but require individual review of their location, design and configuration and the imposition of conditions in order to ensure the appropriateness of the use at a particular location within a given zoning district. Only those uses enumerated as Specific Use Authorizations in a zoning district, as set forth in the Use Matrix (35-311), may be authorized by the City Council.

An owner of land within the City, or a representative, may apply for a Specific Use Authorization for that land by filing an application with the Director of Development Services. The application must include the material required in Appendix B of the UDC for a Specific Use Authorization (35-B111).

SPECIAL (ZONING) DISTRICTS (35-340)

The City of San Antonio has created special zoning districts that allow specific uses and establish specific operating standards and site plan requirements. Current special districts include: Mixed Use District (MXD), Transit Oriented Development District (TOD), Infill Development Zone (IDZ), Planned Unit Development District (PUD), Master Planned Community District (MPC), Business Park District (BP), Entertainment District (ED), Sand Gravel District (SGD), Quarry District (QD), Military Reservation District (MR), Development Reserve (DR), Neighborhood Preservation (NP), Manufactured Housing (MH) District. Developers or businesses seeking to establish rights to one of these uses must comply with the appropriate regulations. Either the City or a developer-applicant may establish "Special" Districts for uses that cannot be adequately addressed by the Base District regulations. Unlike Overlay districts, these districts are independent of the Base zoning districts. Special Districts apply to a specific area with separate use and design regulations and require master plans to be submitted to the Director of Planning.

Mixed Use District (MXD) (35-341)

To provide concentrated residential, retail, service, office and mixed uses. This district does not regulate land uses but, instead, permits uses to be established subject to design standards established in the Use Patterns (Article 2). Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas.

Transit Oriented Development District (TOD) (35-342)

The Transit-Oriented Development District encourages a mixture of residential, commercial, and employment opportunities within identified light rail station or other high capacity transit areas. The district allows for a more intense and efficient use of land at increased densities for the mutual re-enforcement of public investments and private development. Uses and development are regulated to create a more intense built-up environment, oriented to pedestrians, to provide a density and intensity that is transit supportive. The development standards of the zone also are designed to encourage a safe and pleasant pedestrian environment near transit stations by encouraging an intensive area of shops and activities, by encouraging amenities such as benches, kiosks, and outdoor cafes, and by limiting conflicts between vehicles and pedestrians. It is the intent of this Section that a TOD district be restricted to areas within one-half (1/2) of a mile of a transit station, which area is equivalent to a typical 10-minute walking distance.

Infill Development Zone (IDZ) (35-343)

To provide flexible standards for the development and reuse of underutilized parcels. Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas. Any use permitted within an IDZ must comply with the standards of this section. The purpose of the IDZ is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas.

Planned Unit Development District (PUD) (35-344)

A planned unit development may include residential, commercial and industrial uses; cluster housing; common areas; unusual arrangements of structures on site; or other combinations of structures and uses that depart from standard development. Uses permitted in a PUD are those designated in the approved PUD Plan. Density limits determine the maximum number of permitted dwelling units.

Steps to Approval of Planned Unit Development Plan

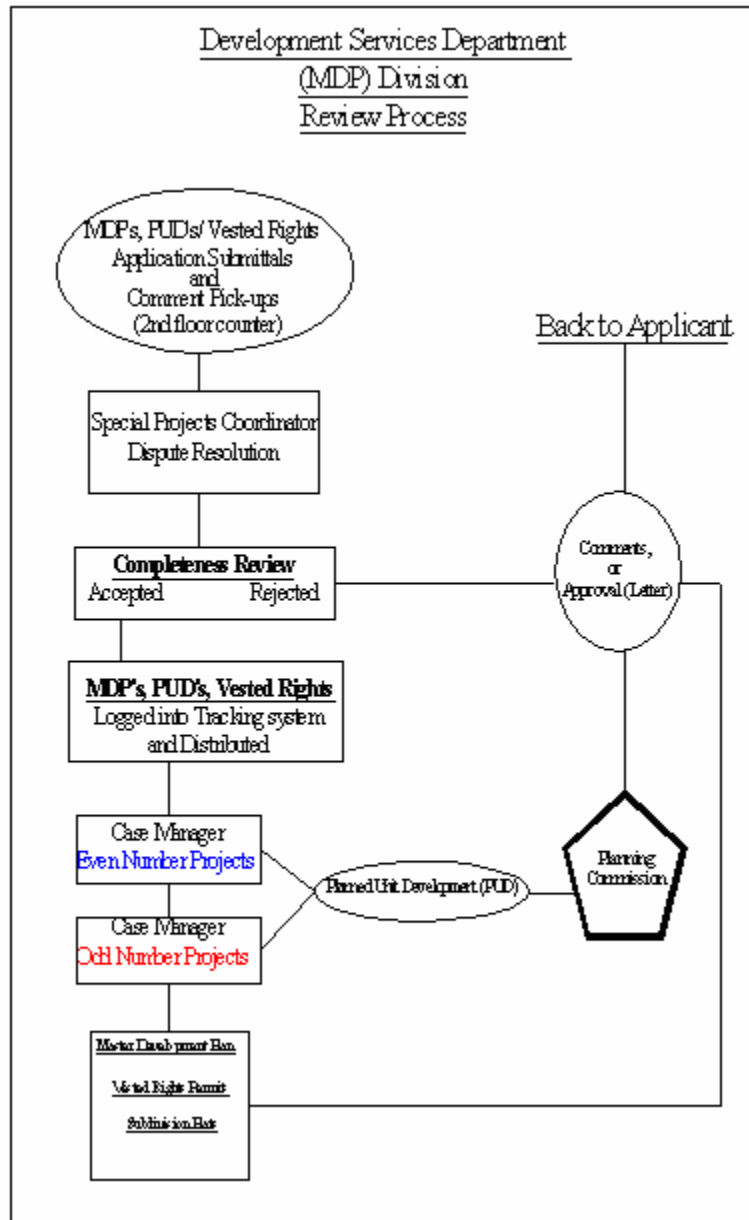
1. Submit an application to the Zoning Division of the Development Services Department to obtain PUD zoning. This is similar to a base zoning case and may be simultaneous with the PUD Plan application for Planning Commission approval.
2. Submit the proposed PUD Plan application package to the Development Services Department for review and ultimate scheduling of a public hearing and consideration by the Planning Commission.
3. All required items including department/agency reviews must be received not later than fifteen (15) days prior to requested Planning Commission Meeting.
4. Staff will distribute to reviewing departments and agencies and conduct a *completeness review*. The Director of Development Services will provide a written response indicating whether or not the Master Development Plan is complete within 5 working days after submittal. Staff will assign an ID number to the plan and schedule for Planning Consideration within 45 days. City staff evaluates plan for general conformance with UDC and recommends changes or accepts or rejects the plan as submitted.
5. If inside the San Antonio City Limits, the applicant submits the proposed PUD Plan for rezoning in accordance with Article III, UDC prior to scheduling for consideration by the Planning Commission.
6. If outside the San Antonio City Limits within the San Antonio ETJ, the applicant submits application to development services for Planning Commission consideration.
7. If a PUD Plan consists of two or more units/phases, a MDP must be submitted in accordance with Article II, Unified Development Code prior to plan submittal. The PUD Plan may be submitted as the MDP clearly annotated "PUD/MDP".

Once approved by the Planning Commission, the plan is transmitted to the respective departments for use in the permitting process.

Director of Development Services must respond in writing to the applicant within 20 working days of a complete package. The timeline for reviewing a revised MDP is 15 working days.

Accepted MDP files are maintained in the Development Services Department. Subsequent & related plat filings are then matched with the plan to assure conformity. For continued recognition, a MDP must be validated by filing a plat within 18 months of the acceptance date.

Planned Unit Development Flow Chart



Master Planned Community Districts (MPCD) (35-345)

The Master Planned Community District is a Special District established to encourage the development of areas of mixed uses that are internally compatible in an effort to achieve well designed development and provide a more efficient arrangement of land uses, building and circulation systems. A MPCD may include both residential and commercial uses. In particular, all residential single family (including gated communities) and multi-family uses; O-1 and O-2 office uses; and NC, C-1, C-2, C-2P and C-3 commercial uses as defined in this Chapter, are specifically permitted in the "MPCD" zoning base district.

If a Master Planned Community is proposed outside of the City's zoning jurisdiction, but within the City's extraterritorial jurisdiction, the land owner may submit a Master Development Plan (MDP) that conforms to the provisions contained within the section. In addition, the land owner upon submittal of the MDP may designate such MDP as a Master Planned Community Site Plan. If the land that is the subject of the Master Planned Community Site Plan is subsequently annexed into the City's zoning jurisdiction, then the City shall initiate a rezoning application for the subject tract to rezone the land to "MPCD". The rezoning request and the previously approved Master Site Plan with Master Planned Community designation is then reviewed for approval pursuant to the procedures contained herein.

Business Park District (BP) (35-347)

A Business Park District may be located adjacent to any Freeway, Arterial, Principal Arterial or non-residential Collector Street. All uses and Development Activities within a Business Park District shall conform to the regulations for an Office or Institutional Campus, § 35-205, excluding § 35-205(j)(Parks and Open Space Standards). (Applicants electing to seek approval of an Office or Institutional Campus Use Pattern shall be subject to § 35-205(j).)

Entertainment District (ED) (35-348)

An entertainment district must have within its boundaries as a primary use a theme park or destination resort that is developed as a regional tourist entertainment facility. This district is designed to protect and encourage the creation and development of commercial recreation, tourist, vacation, hospitality, entertainment, sports and leisure facilities and complexes, together with complementary and accessory support facilities, operations and services that are associated with the tourist, hospitality and entertainment industries. The district is specifically created in order to classify such commercial recreation, entertainment and related uses in a distinct zoning category that expressly encompasses such uses, as opposed to the other business districts, which do not specifically embody such uses. It is a flexible zoning classification that is intended to allow for a broad range of uses that will create a controlled, favorable environment for the development of diverse commercial entertainment and amusement activities, including by way of example, theme parks, destination resorts, tourist attractions, and other recreation and leisure facilities. Such flexibility permits and encourages an appropriate balancing of land uses that promotes the development of adequate support facilities and services.

Sand and Gravel District (SGD) (35-349)

A sand and gravel district (SGD) is a special zoning district permitting the operation of a sand or gravel extraction operation where soil, sand, gravel, and clay may be removed for commercial use on or off the land and those additional uses specifically noted in the following section, such as concrete and asphalt production (with city council approval required within the

ERZD) and other uses. A SGD must have within its boundaries, as a primary use, a material extraction and materials processing operation that is designed to extract or process soil, sand, gravel or clay. This district is designed to protect the environmental character of a site and to promote compatible development with adjacent land uses and future redevelopment of the site. SGD is zoning classification that is intended to create a controlled environment for materials extraction and processing related directly to sand or gravel pits.

Within a SGD only those uses directly related to the operation of the material extraction process shall be permitted. Such related uses are limited to the extraction, processing, storage, production of finished products, and shipment of such materials and products from within the land.

Quarry District (QD) (35-350)

The quarry district (QD) is a special zoning district intended to allow for a quarry and related uses for the extraction of limestone and other raw materials and the processing of those materials into finished products. A QD must have within its boundaries, as a primary use, a material extraction and materials processing operation that is designed to extract limestone or any other similar materials which are mined on the land and/or which are processed on the land subsequent to mining. This district is designed to protect the environment and promote compatible land use relationships with adjoining properties and to allow for the safe development of commercial quarrying, cement, concrete products and lime manufacturing, and related industries, together with accessory support facilities that relate directly to the on-site quarrying, processing, and manufacturing operations. The district is specifically created in order to classify such materials extraction, processing and related uses in a district zoning category that expressly encompasses such uses, as opposed to the other ordinary districts within the permitted uses table, which do not specifically embody, collectively, such uses. QD is a zoning classification that is intended to allow for a broad range of directly related uses that would create a controlled environment for the development of diverse material extraction and processing activities, including by way of example but not limited to, mining, blasting, extraction, processing, handling, crushing, washing, screening, sorting, stockpiling, and the production, packaging, distribution, and transportation of: aggregate, ready-mix concrete, asphaltic concrete (with city council approval required within the ERZD), quicklime and hydrated lime, cement, concrete, precast and prestressed concrete products, Portland cement, concrete pipe, concrete blocks, and other concrete products within the district, including activities required for the support of such directly related operations, including but not limited to vehicle and rail maintenance and repair facilities, office and dispatch facilities, outdoor storage of materials, and other operations incidental to quarry operations.

Development Reserve (DR) (35-352)

Development Reserve (DR) zoning districts are adopted by default upon annexation and provides temporary zoning classifications for newly annexed land unless other specific zoning is adopted. While use restrictions are imposed pursuant to the DR district: it is recognized that the annexed land may be compatible for a use permitted in any zoning district; and it is the policy of the City to rezone the land to an appropriate zoning classification as soon as practicable. The City will become the applicant for DR zoning districts upon annexation.

Neighborhood Preservation (NP) Districts (35-353) (formerly R-8 zoning district)

The Neighborhood Preservation Districts are established by the City to protect existing platted subdivisions that are substantially developed with single-family detached dwelling units. It is the policy of the City that these districts will be applied only to platted subdivisions that are recorded

prior to the effective date of this Chapter. The NP districts are not appropriate for the downzoning of unsubdivided parcels or tracts. Changes to NP zoning districts are initiated by the City.

Manufactured Housing (MH) District (35-354)

The MH districts are areas suitable for HUD-code manufactured homes and compatible uses. The districts provide suitable locations for manufactured homes on individual lots as well as for manufactured home parks. The district regulations are to provide adequate protection both for the manufactured homes and for the surrounding development.

Manufactured Homes on Individual Lots. HUD-code manufactured homes may be located on individual lots outside of a manufactured home park provided they are permanently installed and limited to one home per lot. In addition they shall be subject to standards designed to ensure acceptable compatibility in exterior appearance between HUD-code manufactured homes and site built dwellings that have been or may be constructed in adjacent or nearby locations. HUD-code manufactured homes must be permanently affixed to a visible foundation system and skirting acceptably similar in appearance to foundations of site built residences, forming a complete enclosure under exterior walls.

Steps to Approval of a Manufactured Home Park Plan

The purpose of the Manufactured Home Park Plan is to achieve orderly development of manufactured home parks in the City following zoning approval, to promote and develop the use of land to assure the best possible community environment in accordance with the Master Plan of the city and to promote the health safety and general welfare. Manufacture home parks plans are detailed in layout, but typically platted as one single lot under one ownership. Individual sites are then leased, but may not be sold.

1. Submit application with proposed plan drawn to scale along with appurtenant information to the Development Services Department
2. Staff will distribute to reviewing departments and agencies and conduct a completeness review.
3. Staff will assign an ID number to the plan and schedule for Planning Consideration within 45 days.
4. Once approved by the Planning Commission, the plan is transmitted to the respective departments for use in the permitting process.

FLEXIBLE ZONING DISTRICTS

In 2004, four new zoning districts were created. These new districts are deemed “flexible” because they allow mixed-uses by-right. They were created in conjunction with the Southside Initiative Community Plan process. However, any property owner may request to rezone their property to any of these districts anywhere in the City in accordance with the standard rezoning process.

Urban Development District (UD)(35-310.15)

The Urban Development “UD” District has been established to encourage the development of a land use pattern that encourages compact neighborhoods and centralized commercial areas that promote a sense of community and are pedestrian and transit friendly. The intent is to minimize traffic congestion and environmental degradation while improving the quality of life and promoting the health, safety and welfare of neighborhood communities.

Rural Development District (RD)(35-310.16)

The Rural Development District “RD” has been established to encourage the development of a land use pattern that reflects rural living characteristics by encouraging low density, single family residential land use patterns with limited commercial uses placed in a manner that conserves open land. The “RD” district serves as a buffer between more urbanized, denser development, and significantly rural, open, or agriculturally oriented land use patterns.

Farm and Ranch District (FR)(35-310.17)

The Farm and Ranch District “FR” is intended to preserve rural character and culture by implementing larger minimum lot sizes and by prohibiting incompatible land uses. This district provides areas for agricultural operations and natural resource industries. These areas are composed primarily of large tracts of land that are vacant or in agricultural uses and may contain a minimal number of dwellings and accessory structures. The “FR” District may be used to establish and buffer low intensity uses along streams, floodplains, and similar environmentally sensitive areas.

Mixed Light Industrial District (MI-1)(35-310.18)

The Mixed Light Industrial District “MI-1” is established to encourage the development of mixed agricultural, commercial and light industrial uses that are internally compatible in an effort to achieve well designed development and provide a more efficient arrangement of land uses, building, and circulation systems. These districts are located for convenient access from existing and future arterial thoroughfares and railway lines. Furthermore, these districts shall protect and enhance the rural character of the area, attract sources of economic development and growth, promote clean industry, and minimize the adverse effects to adjacent uses.

Flexible Zoning (35-360 and 35-361)

In certain instances it is in the best interests of the private land owner and the City to exceed the minimum requirements of the UDC. In such instances, the City may achieve objectives of the Master Plan by providing incentives to land owners. This system provides regulatory incentives while ensuring that regulatory modifications are not made solely and exclusively for the private benefit of the land owner. These incentives include bonus densities and transfer of development rights.

Steps to Approval of Bonus Density

1. Applicant must request in writing from the Director of Development Services, a density bonus for a residential subdivision and comply with the criteria established in 35-360.

2. The Director may grant an applicant a density bonus by establishing any of the incentive items as described in Table 360-2 of the UDC. Total permissible dwelling units are calculated in accordance with Table 360-2.
3. Applicants requesting a density bonus for a residential subdivision may also reduce lot sizes through approval of a Conservation Subdivision (35-202). Minimum lot sizes may be reduced as needed to accommodate additional dwelling units permitted.

Steps to Approval of Transfer Development Rights (TDR) (35-361)

At the voluntary request of the land owners in the sending areas and the receiving areas, the City may increase densities in the receiving areas and reduce densities in the sending areas.

Establish Sending Areas. The land owner may create severable Development Rights in Critical Areas, Agricultural Preservation and Transportation Corridors, and in the unincorporated areas of Bexar County or another municipality within Bexar County by recording a conservation easement, or reserved rights-of-way, in accordance with the provisions of this Section.

Establish Receiving Districts. **No** severable development rights may be exercised in conjunction with the development of subdivision of any parcel of land that is not located in a receiving district. Applicant may transfer severable development rights to be designated as receiving districts such as Traditional Neighborhood Development (TND), Transit-Oriented Development (TOD) and Infill Development Zone (IDZ) districts.

Request a development order to be issued authorizing use of the Development Rights at a receiver site, at which time they shall attach to the receiver site for all purposes.

Record Transfer Development Rights on the Receiving Site after a conditional zoning district has been approved. The conditional zoning district includes a condition requiring recordation of a deed.

Owner of the transferor parcel records a deed in the chain of title of the transferor parcel expressly restricting the use of the land in perpetuity to open space, agricultural lands or street/road right-of-way. A boundary plat for the transferor parcel must also be recorded reflecting the restriction.

A developer of a receiver site must submit, in conjunction with his application for development approval, evidence that the transferor parcel has been restricted to non-development uses and that a boundary plat has been recorded in accordance with the above provisions.

Any proposed transfer of development rights from the sending property or to the receiving property is subject to the notice and hearing requirements of 35-403 of the UDC.

HISTORIC PRESERVATION (ARTICLE 6, 35-601 TO 35-658)

The Historic Preservation Officer and the Historic and Design Review Commission (HDRC) administer San Antonio's Historic Preservation and Urban Design ordinance within the Planning Department. Standards and criteria for protection of the City's historic, cultural, archaeological and artistic resources are published in Article VI of the UDC.

Steps to Approval of Designation of or Work on Historic Property.

1. Submit an application to the Historic Preservation Division with the address or a legal description of the land to determine whether the land is in a historic district, archaeological sites, public property, in the River Improvement Overlay District or is a designated historic landmark.

2. If the property is designated, submit an application for a Certificate of Appropriateness to the Historic Preservation Division. Staff will assist in determining which of the four application forms is required: short, long, demolition, or tax abatement. Each application has different requirements for submittal.
 - Short Forms. Repairs and Maintenance Applications – Ordinary repairs or replacement of existing materials using the SAME COLORS AND MATERIALS AS THE ORIGINAL may be approved administratively.
 - Long Form. Changing Design, Materials, or Colors – Any alteration, restoration or rehabilitation requires an application submittal for a HISTORIC AND DESIGN REVIEW COMMISSION HEARING. All materials, legal description, photographs, documents and drawing must be submitted to the Historic Preservation Division at least 14 days prior to a scheduled Commission hearing.
 - Demolition Form – All requests for demolition (partial or total) of all structures and/or appurtenances (historic or not) in the City of San Antonio must be reviewed for action by the Historic Preservation Officer. If the property is a landmark or located in an historic district the application must be taken to the Commission and a plan of proposed work for development of the site is required.
 - Tax Abatement – The Historic Preservation Division provides incentives to encourage preservation through its Tax Abatement Program. To qualify a building must be in need of a “substantial rehabilitation” and located in a Historic District or be a designated Local Landmark.
3. Complete and submit to the Historic Preservation Division, the appropriate application form along with all required information and photographs for all areas of planned modification, along with any required fees.

Once a completeness review has been conducted, the Historic and Design Review Commission may schedule the request for consideration. Commission members, as officials of the City of San Antonio, may grant a Certificate of Appropriateness, which is required by the Department of Development Services before permits will be issued. The Commission does not issue permits. Land owners are responsible for all permits, although properly authorized contractors and/or agents may obtain appropriate permits following Commission approval. The Certificate of Appropriateness is valid for 180 days from the date of issuance.

If an applicant is dissatisfied with the action of the Commission and the Director of Planning an appeal may be made to the Zoning Board of Adjustment within thirty (30) days after receiving notification of such action.

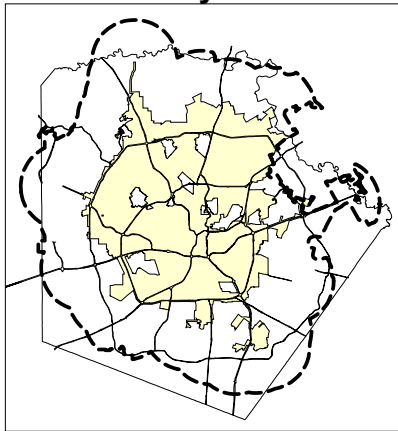
Important Note: Permits must be secured within 90 days following Commission approval and work must be started within one hundred eighty (180) days of issuance.

SUBDIVISION PLATTING

Subdivision regulations are the general rules and regulations governing plats, the subdivision of land, and the procedures for the extension of the city’s streets, major thoroughfares and public utilities. Unlike zoning, subdivision regulations apply to all land within the City of San Antonio and its area of extraterritorial jurisdiction (ETJ).

- A plat is required in order to obtain a building permit on any land within the City of San Antonio.
- In the City of San Antonio, a development plat is required for tracts greater than five acres in size, unless an exception is applicable. In addition, all tracts located in the ETJ are subject to platting, unless an exception is met (Section 35-430C).
- Subdivision regulations apply to vacant land that is being developed into two or more lots.
- A recorded plat establishes a legal building site and is required before obtaining utility service, a building permit or certificate of occupancy within the City limits.

San Antonio City Limits and ETJ



General Steps to Subdivision Plat Approval

General steps to subdivision plat approval are shown on the “General Subdivision Platting Flow Chart,” on the following page.

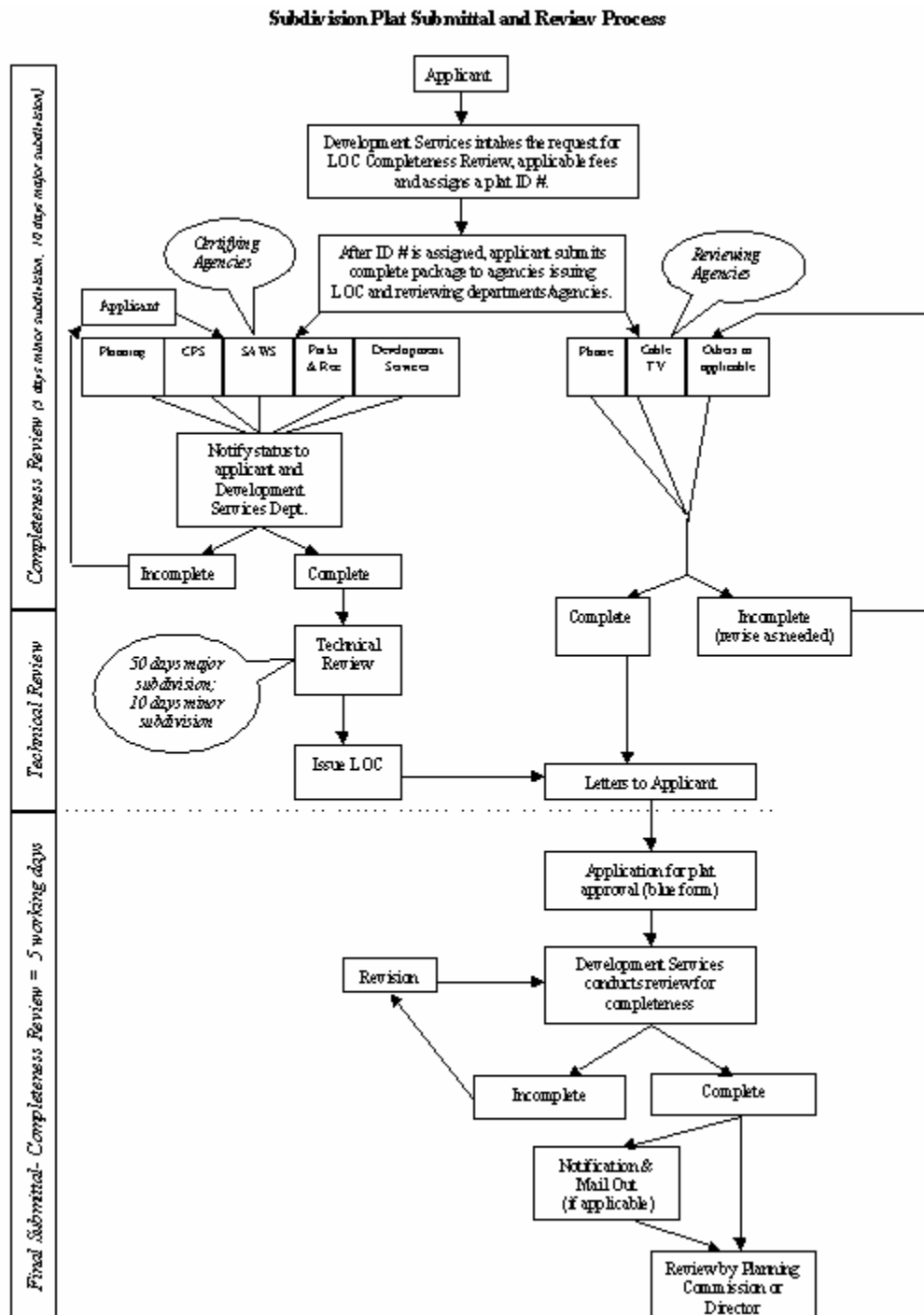
Plat Filing Requirements – A complete filing package subject to a Completeness Review is required before approval is requested. The following items are required for a complete plat package filing:

- Completeness Review
- Letters of Certification from:

Development Services	1901 S. Alamo, 1 st floor	207-0121
SAWS (water & sewer)	1222 N. Main, 5 th floor	704-7105
City Public Service	146 Navarro St.	353-2814
Parks and Recreation	506 Dolorosa, Suite 103	207-2886
Planning Department	1901 S. Alamo, 2 nd floor	207-7873
Bexar County	233 N. Pecos, Suite 420	335-6700
- Blue Line Prints:

Director:	26 copies ICL-or-15 copies OCL.
Commission:	36 copies ICL-or-15 copies OCL.
- Original & Reproducible mylar
- 8 ½” x 11” reduction on bond paper
- Plat filing fees (see fee schedule at the end of this chapter) and county fees (when applicable).
- Current tax certificates from city, county & school taxing entities.

GENERAL SUBDIVISION PLATTING PROCESS FLOW CHART



January 2004

Plat Review Requirements – The following departments and agencies must review and a letter submitted from each before approval by the Planning Commission:

- Letters of Review from:

Southwestern Bell	4119 Broadway	7 th fl.	820-7539
Time Warner Cable	5981 Hwy.	87 E.	352-4460
Others as deemed necessary (Asset Management, Aviation, SARA, SADA)			

When applicable, the following items will also be reviewed or required:

- Master Development Plan: If area will be platted in two or more units.
- PUD Plan approval if part of a Planned Unit Development
- Letter of Agent
- Variance request & fee if cited (see variance requirements in this package)
- Townhouse, zero lot line, PUD legal documents (plus recording fees)

Performance Agreement (35-437) (if site improvements are required)

When site improvements, other than gas and electric lines, are required in conjunction with a plat, applicant must execute and file with the planning commission together with the plat, an instrument to ensure construction of the site improvements. Such instrument must be substantially the same as Form F 35-B121 and is filed with the City Clerk's office when a guarantee of performance is posted.

As is provided for in 35-432(i), an approved plat may be filed for record before the required site improvements are completed if one of the following guarantees of performance is filed with the city clerk within three (3) years after the plat has been approved by the planning commission: a performance bond, a trust agreement, a letter of credit, or a cash or cashier's check.

Plat Approval

Development Services Director or Commission – Generally, amending plats, minor plats without variances or re-plats not involving a public hearing are eligible for approval by the Director of Development Services. A minor plat is defined as “a subdivision involving 4 or fewer lots fronting on an existing street that does not involve: (I) the creation of any new streets, alleys or safety lanes; (II) the extension of off-site utilities; or (III) the installation of drainage improvements.” All other plats are submitted to the Planning Commission for approval. After a complete filing has been met, the plat is routed to five of the seven certifying and reviewing agencies for one last opportunity to insure conformity (DSD, CPS, SAWS water and sewer, Cable). The plat is then scheduled for Commission or Director consideration. The application for plat approval also includes submitting all items and fees required by the UDC.

- *Director Plats*: “Director Plats” are approved by the Director of Development Services on an as-available basis.

Planning Commission: The Commission meets every second and fourth Wednesday at 2:00 P.M. in the Board Room of the Development and Business Service Centers, 1901 S. Alamo. The deadline for scheduling items on the agenda is the Monday two weeks before the scheduled meeting. All items must be submitted no later than the end of the business day

Plat Deferral

A plat application must be filed prior to processing of the plat deferral. The Planning Commission may grant a deferral of the requirement to plat for a subdivision of 4 or fewer lots to allow a building permit and/or utility services prior to plat approval. The applicant's engineer or surveyor must certify that specific conditions are met before the deferral will be scheduled for consideration. These conditions are outlined in the "PLAT DEFERRAL INFORMATION SHEET."

Steps to Plat Deferral

1. Submit a plat application and a letter of application (please reference the Plat Deferral Information Sheet) signed by the land owner or his authorized agent to the Director of Development Services.
2. The Director will review the plat deferral application for completeness relative to letters of certification, required information Section 35-B114 and payment of fees (Appendix C). Upon determination of completeness the time limit is triggered.
3. All submittals must include a preliminary review approval by Development Services Department which includes, drainage, streets & TIA.
4. All plat deferral requests will be processed, reviewed, and scheduled for Planning Commission consideration in accordance with required reviews, established deadlines, and scheduling procedures.

The time period for which the platting requirement may be deferred shall normally not exceed one hundred and eighty (180) days.

Replatting of Antiquated Plats

For purposes of section 35-442, any subdivision platted prior to June 14, 1927, is not considered a plat and a replat of such a subdivision will be considered an original plat and is subject to the same notice requirements as a minor subdivision plat.

1. In order to replat an antiquated plat, a subdivider files with the Department of Development Services the proposed replat in accordance with section 35-431. The plat must be signed and acknowledged by only the owners of the land being replatted and annotated with a certificate the same as Form P, Appendix B, 35B-120.
2. A replat will be processed in accordance with the plat review process flow chart on page 66.
3. The Planning Commission shall approve a replat provided it is consistent with the requirement set forth in Article 4 and Article 5 of the UDC.
4. Filing a new replat may amend a replat. The replat is processed in the same manner as the original replat.

A subdivision or part of a subdivision may be replatted without vacation of the preceding plat if the procedures and specifications pertaining to plats continued in this article apply, and if the replat does not attempt to amend or remove any covenants or restrictions.

Replats Subject to Low-Density Zoning

The following procedures of Section 34-443 apply if, during the preceding 5 years, any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than 2 residential units per lot, or if any lot in the preceding plat was limited by deed restrictions to residential use for not more than 2 residential units per lot.

Steps to Approval of a Replat Subject to Low-Density Zoning

1. In order to replat a previously approved and recorded plat that is subject to low-density zoning, a subdivider files with the Department of Development Services the proposed replat in accordance with section 35-431. The subdivider provides to the Director written notice of an intention to file with the planning commission a replat to which the limitations stated above apply. The plat must be signed and acknowledged by the owners of the land being replatted and annotated with a certificate the same as Form Q, Appendix B, 35B-120.
2. The Director will review the replat application for completeness relative to letters of certification, required information (Appendix B) and payment of fees (Appendix C). The replat shall be scheduled for two Planning Commission meetings, the first to solicit public input and the second for consideration. The plat will be deemed complete upon completion of the required public hearing.
3. The director provides notice of the public hearing. The Planning Commission approves a replat in the same manner as a Major Subdivision. It must be approved unless it is inconsistent with any of the criteria set forth in Article 5 of the UDC. The replat will not be approved if it does not comply with any of the criteria set forth in Article 5.

Filing a new replat may amend a replat. The replat is processed in the same manner as the original replat.

A replat must be approved within six (6) months of the date of the public hearing. If the replat is not approved within six (6) months, a new public hearing will be required.

Owner-Initiated Plat Vacation

An area previously platted can be vacated under 35-439 when the owner or owners of lots in any approved subdivision, including the developer, initiates a plat vacation by filing a petition and declaration Section 35-B121 Form M with the Director to vacate the plat. The Petition must conform to the requirements of Appendix B. If the subdivider so desires, the vacating declaration and an application requesting resubdivision of the plat may be filed and processed simultaneously.

Upon filing the vacating declaration, a filing fee as specified in Exhibit C is paid to the City of San Antonio in addition to the required recordation fee.

Steps to Owner-Initiated Plat Vacation

1. In order to replat a previously approved and recorded plat a subdivider files with the department of development services the proposed replat in accordance with section 35-431.

2. The Director will review the replat application for completeness relative to letters of certification, required information (Appendix B) and payment of fees (Appendix C). Upon determination of completeness the time limit is triggered.
3. The Planning Commission approves a replat in the same manner as a Major Subdivision. It must be approved unless it is inconsistent with any of the criteria set forth in Article 5 of the UDC. The replat will not be approved if it does not comply with any of the criteria set forth in Article 5.

Filing a new replat may amend a replat. The replat is processed in the same manner as the original replat.

Completeness Review. The Director will conduct a completeness review of the application for a plat vacation as provided in 35-432(c) of the UDC. Appeal of a completeness review is to the Planning Commission.

The Planning Commission may approve, conditionally approve or disapprove a petition at a regular public meeting.

On the execution and recording of the vacating instrument, the vacated plat has no effect.

Replatting Without Vacating Preceding Plat

A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat (35-440) if the replat is signed and acknowledged by only the owners of the land being replatted; is approved, after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard, by the municipal authority responsible for approving plats; and does not attempt to amend or remove any covenants or restrictions.

Steps to Replatting Without Vacating Preceding Plat

Replatting without vacating preceding plat is subject to the process shown on the Replat flow chart, page 70.

Filing a new replat may amend a replat. The replat is processed in the same manner as the original replat.

A subdivider wishing to replat a previously approved and recorded plat files with the Development Services department the proposed replat in accordance with section 35-431.

A replat can be filed without public hearing if the preceding plat was approved prior to June 14, 1927, or it involves a lot assembly, or it is a replat of easement(s) or right-of-way (ROW). In conjunction with this process the subject area is titled "Area being replatted". A replat is subject to either a short public hearing or a long public hearing.

Short Public Hearing

A Replat is subject to a Short Public Hearing if:

- An area proposed to be replatted is not restricted to 1 or 2 family uses whether through zoning within the past 5 years or limited to same by deed restrictions. In conjunction with this process

the subject area is titled on the plat "Area being replatted through public hearing" and is annotated with Form P as required by Section 35-B121.

-OR-

- The area was designated or reserved for other than 1 or 2 family use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat. In this instance the subject area is titled "Area being replatted through public hearing" and plat is annotated with Form Q as required by Section 35B-121.

Long Public Hearing

A Replat is subject to a Long Public Hearing if:

- The area proposed to be replatted is restricted to 1 or 2 family uses by zoning within the past 5 years, or lots within the preceding plat are limited to same uses by deed restrictions (Zoning Classifications include: RE, R20, NP15, NP10, NP8, R4, R6, R-5 and MH. In conjunction with this process the subject area is titled on the plat "Area being replatted through public hearing involving written notification" and annotated with Form O as required by Section 35B-121

Requirements for Long Public Hearing:

Submit written notice of intent to file for public hearing with Director.

Certified list of names & addresses of land owners within 200' radius of the area proposed to be replatted. Notice to land owners is not required outside the 200'

Both items above shall clearly identify the following:

Area to be replatted with 200' radius (overlaid on Bexar Appraisal map)

Area replatted/re-subdivided within the 200' radius, which is no longer part of the original plat.

Public hearing fee as per schedule

One (1) 8 ½" x 11" reduction on bond paper.

One (1) full size copy (18" x 24") blue line print of original plat.

Amending Plats

A municipality need not require platting for every division of land. Therefore this section provides a streamlined and efficient process for the combination of parcels or the replat of parcels. A plat may be amended, and the Director may issue an amending plat, if the amending plat is signed by the applicants only and is solely for one or more of the purposes indicated in. 35-441.

Steps to approval of an Amending Plat

General steps to approval of an amending are shown on the "General Subdivision Platting Flow Chart," page 66.

The amending plat is then recorded if all requirements have been met. If the plat being amended has not been recorded, the director may approve the amending plat.

Approval Criteria. The amending plat will be approved unless it is inconsistent with any of the criteria in Article 5 of the UDC, but will not be approved if it does not comply with the criteria.

Filing a new amended plat may amend an amended plat. The amended plat is processed in the same manner as the original amended plat.

Approval of an amended plat is restricted to the matters described in this section, and confers no additional rights upon the applicant.

Variances to the Requirements in the UDC – Any provision of the UDC, which cannot be met will require a variance request with the appropriate fee. This written request is to be submitted to the Director of Development Services. The Planning Commission considers it at the time of plat consideration. Fifteen (15) working days are to be allowed for agency review of each variance. The variance request and response are to be submitted as part of the complete package for Planning Commission consideration.

Additional Approval Outside City Limits – Areas located outside the San Antonio city limits and within the ETJ require Bexar County Commissioners Court Approval. This is done in conjunction with the County Letter of Certification. Prior to plat recording, all impact fees must be paid and a guarantee posted to cover any necessary site improvements. Septic systems are also approved by the county.

Development Plat

The city requires a boundary survey from any person who proposes the development of a tract of land located within the limits or in the extraterritorial jurisdiction of San Antonio, and is not required to file a subdivision plat as required in 35-432 and 35-433

A development plat (35-433) is not required where the person is required or elects to file a subdivision plat; or one of the exceptions in 35-430(c)(2) - (c)(9) applies; or the tract is greater than five (5) acres for properties that are inside the City of San Antonio and ten (10) acres for properties that are located in the ETJ., provided that each parcel has access to a public right of way by a public street, platted private street, or irrevocable ingress/egress access, and that requires no public dedications. Providing further that the owner agrees not to further subdivide without filing a subdivision plat and the requested improvements are for a residential use.

General Steps to Development Plat Approval

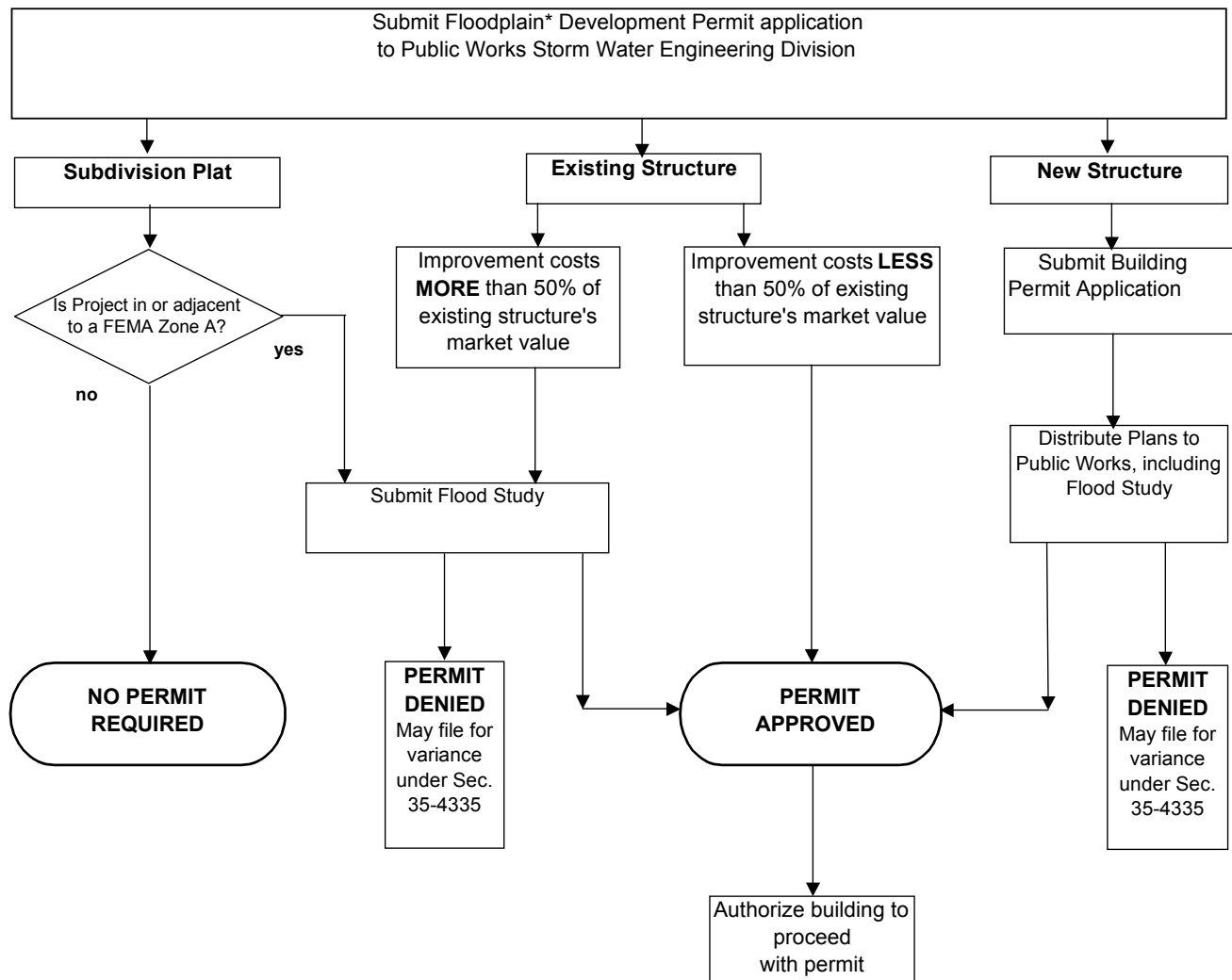
General steps to development plat approval are shown on the “General Subdivision Platting Flow Chart,” page 65.

Building Permits / Septic Tank Approval. The city, a county, or an official of another governmental entity may not issue a building permit or any other type of permit for development on lots or tracts subject to this section until a development plat is filed with and approved by the city. Applicants for development plat approval may also require approval by Bexar County for septic facilities or, in the extraterritorial jurisdiction of the City, a subdivision plat. Bexar County does not recognize development plats approved by the City. Accordingly, applicants may choose to file a subdivision plat pursuant to the major subdivision or minor subdivision procedures of this ordinance in lieu of filing a development plat.

DEVELOPMENT LOCATED IN A FLOODPLAIN

The City recognizes that a limited amount of development adjacent to a floodplain might be necessary in a given project. A Floodplain Development Permit for development or other encroachment is required when the property or any part of the property is located in the regulatory floodplain (100-year floodplain assuming ultimate development has occurred throughout the watershed). The Storm Water Engineering Section of the Department of Public Works will determine if a property is in the regulatory floodplain. If the property is located in a Zone A, unstudied area of a regulatory floodplain, hydrology and hydraulic studies are required to determine the actual location of the floodplain. Studies will also be required in areas where flood elevations may reflect the regulatory floodplain. The Floodplain Ordinance is embodied in Appendix F of the UDC. Submittal requirements for a floodplain development permit are included in Appendix B. Each application will have two completeness reviews: one by Development Services and one conducted by Storm Water Engineering prior to beginning the review and establishing the time line. The following flow chart outlines the process of obtaining a permit to develop or build in a floodplain.

FLOODPLAIN DEVELOPMENT PERMIT PROCESS



*If Plat or Building Permit application is filed first, then plans will be distributed to Public Works Storm Water Engineering Division.

LICENSE TO ENCROACH ON PUBLIC RIGHT-OF-WAY OR PUBLIC LAND

Before any application for an encroachment request can be processed, the following items are required at the time of application. Processing will begin with the Department of Asset Management, Land Disposition Division, 114 W. Commerce St, 2nd floor. For more information, call 207-7837

Steps to Obtain a License to Encroach on Public Right-of-Way or Public Land

1. Submit a letter to the Department of Asset Management describing the nature of the encroachment. Include a plat indicating the exact location and plans indicating linear dimensions of encroachment and its proposed location in relation to an established landmark; copy(ies) of deed(s) for applicant's land; and pay a non-refundable processing fee.
2. While the project is being circulated to the various city departments, it will be the applicant's responsibility to furnish the following items:
 - Fully executed Ethics Disclosure Statement(s).
 - If applicant is a corporation, a fully executed Certificate of Corporate Resolution identifying and designating the proper officer of the company who is authorized to execute and legal document(s) which will be required in connection with this project.

Payment for a 10-year license agreement is \$2,500 for minor residential encroachments and \$5,000 for minor commercial encroachments. Fees for major encroachments vary, depending on the area to be used and fair market value of the surrounding properties.

QUIT CLAIM AND PERMANENTLY CLOSE A STREET OR ALLEY

Before any application for a street/alley closure request can be processed, the following items are required at the time of application. Processing will begin with the Department of Asset Management, Land Disposition Division, 114 W Commerce St., 2nd floor. For more information, call 207-7837

Steps to Obtain a License to Encroach on Public Right-of-Way or Public Land

1. Submit a letter to the Department of Asset Management stating the purpose and location of proposed street/alley closure. Include a fully executed petition(s) signed by all adjacent owners; a plat indicating the exact location of the proposed alley closure; copy(ies) of deed(s) for properties adjacent to proposed closure; and a \$250.00 non-refundable processing fee for unimproved street/alley and/or a \$500.00 non-refundable processing fee for improved street.
2. While the project is being circulated to various city departments, it will be the applicant's responsibility to furnish following items:
 - Fully executed Ethics Disclosure Statement(s).
 - If applicant is a corporation, a fully executed Certificate of Corporate Resolution identifying and designating the proper officer of the company who is authorized to execute legal document(s) which will be required in connection with this project.
 - Metes and bounds description (survey), of alley/street proposed for closure, along with plats prepared by a certified engineer or registered surveyor.

*Note: Please note that properties are sold at fair market value.

UTILITY POLICIES

The San Antonio Water System (SAWS) has prepared master plans for waterworks and wastewater facilities. These plans include adopted policies for service and extension of facilities. Developers must negotiate with either SAWS or another purveyor for water or wastewater services within its service area.

Groundwater Resource Protection – The Resource Protection Division (RPD) of the San Antonio Water System (SAWS) takes a lead role through city code mandates, in house procedures and pro-active programs in the protection efforts of San Antonio's groundwater resources. The RPD is involved in the following:

Procedures

Plats. All platted and re-platted properties in Bexar County are inspected for the existence of abandoned/substandard water wells. If a well is identified on the property the developer or land owner has two options to obtain plat approval.

1. Immediately plug the well through RPD plugging procedures, OR
2. Submit a bid from a licensed well driller accompanied by a cashiers check in the amount of the bid as a bond. The owner or developer obtains approval then has up to 6 months to plug the well.

Registration of Water Wells

New Water Service Installation (Water Well Declaration Form). Anyone applying for water service from SAWS must sign a Water Well Declaration form (form# FN001-3) declaring whether or not there is a well on the property for which they are applying for water service. There are three signature slots where an applicant can sign:

1. There are no wells on the property for which the applicant is applying for water service.
2. There is a well on the property and the applicant will plug the well within 30 days of receiving water service.
3. There is a well on the property and the applicant is applying for a variance to keep the well.

Variances are reviewed and approved or disapproved based on the information provided to RPD and the overall evaluation of the well's integrity.

Water Well Permitting San Antonio City Code designates the RPD as the authority to regulate *all water well activity* within the city limits and SAWS service area. The code regulates the following:

Water Wells
Geo-thermal Borings
Monitoring Wells (limited)

Information and code requirements can be downloaded from SAWS website www.SAWS.org by clicking on Groundwater Resource Protection.

For all new development and/or construction, the respective utilities must be contacted. Each utility has unique extension policies and connection fees. Generally, utilities issues are resolved at the time of subdivision platting. In addition to the San Antonio Water System, other major utilities in San Antonio are shown below with the specific utility services needed:

Water and Sewer Service – Water and sewer service are provided for developments within the City of San Antonio and its ETJ by several purveyors. The largest territory coverage is with the San Antonio Water System (SAWS) as described within this chapter. In addition, the subject property could be located within the service areas of other major providers, such as Bexar Metropolitan Water District (Bexar Met), Cibolo Creek Municipal Authority (CCMA) and the San Antonio River Authority (SARA). To determine the water and sewer service provider for your property, call or visit the One-Stop Counter at the Development and Business Services Center, 1901 South Alamo, 210-207-1111.

Bexar Metropolitan Water District; call 210-354-6561
Cibolo Creek Municipal Authority, call 210-658-6241.
San Antonio River Authority, call 210-227-1373.
San Antonio Water System, call 210-704-7297 for new service.

Gas and Electric Service – Gas and electric service are provided by City Public Service Board (CPSB) to all of Bexar County (except in Grey Forest) and certain areas outside the County. CPSB is located at 146 Navarro. For new electric or gas service call 210-353-2222 and for subdivision planning call 210-353-3333

Development Located In The Edwards Recharge Zone District (ERZD) – Protection of our sole source of water is in the purview of the Resource Protection Division, Aquifer Protection and Evaluation Section (APES) of the San Antonio Water System, which is involved in the development process over the Recharge Zone in Bexar County. For questions concerning whether or not a development is located on the Recharge Zone in Bexar County, contact Texas Commission on Environmental Quality (TCEQ), the City of San Antonio Development Services Department, the San Antonio Water System web site, or San Antonio Water System Aquifer Protection and Evaluation Section. The Aquifer Protection and Evaluation Section is involved in the following:

Category Determination

The applicant submits a Category Request letter with supporting documentation (prior history of development if it exists) that is used to determine Category 1, 2, or 3 statuses on the property to be developed. Category Request form letter can be downloaded from SAWS web page (www.SAWS.org), click on Source Water and Watershed Protection and Aquifer Protection and Evaluation) or by calling APES at SAWS.

After evaluation, a letter is issued to the applicant indicating Category status. This information guides the applicant on the requirements for the development.

NOTE: Determining the Category status should be one of the first steps taken when developing on the Recharge Zone. It can impact the development of the property.

Other SAWS Involvement in the ERZD

- Building Permits – The APES will sign off on Building Permits provided all conditions are met for development on the Recharge Zone in Bexar County and within the City Limits of San Antonio.
- Certificate Of Occupancy – If ERZD is noted on the Certificate of Occupancy form, then the occupant must contact APES at SAWS. The APES will verify that all conditions have been met for development on the Recharge Zone and will then sign the form for approval.

- Plan Checking – Building plans are checked to verify the Plat, Aquifer Protection Plan and WPAP are approved and the plans are the same as the approved Aquifer Protection Plan and WPAP and then it is signed.
- Plats – Plat request forwarded by City Planning to APES. Application is reviewed and a written site evaluation (review form or plat report) is submitted to City Development Services Department/Planning Commission. Interaction with APES is strongly encouraged.
- PUD – Planned Unit Development application is forwarded by Development Services to APES. Verification is made that all rules and regulations for development on the Recharge Zone have been followed. Approval form (with or without special conditions) is signed and sent to City Planning/Planning Commission.
- Sewage Collection System (SCS) – Applicant needs to contact TCEQ to verify if a Sewage Collection System (SCS) is required. If it is required for the development, TCEQ will forward a copy of the completed SCS to APES. The APES will review and may submit comments concerning the Sewage Collection System if needed to TCEQ. SCS approval by TCEQ required prior to plat approval when applicable.

ERZD Sanitary Sewer Lateral Permits- Resource Compliance Division is the permit administrator and inspection agency for sanitary sewer laterals connecting to SAWS sanitary sewer mains in areas within the ERZD and outside of the City of San Antonio City Limits. Permits may be obtained and inspections scheduled through the SAWS Representative at the City of San Antonio “One-Stop Counter” Business Center, 207-0115. For permit details see the Utility Service Regulations, Amendment No. 2.

If the project is on the Edwards Aquifer Recharge Zone and outside the city limits, a connection permit and Utility Service Agreement is required and a licensed master must perform installation of sewer laterals plumber that is registered with SAWS. Inspection of laterals is by SAWS.

- Aquifer Protection Plan (AqPP) (AqPP Approval Letter) – After it has been determined that a site is either a Category 2 or 3 property, the applicant fills out an Aquifer Protection Plan. The APP can be downloaded from the SAWS web page (www.SAWS.org) or by requesting a copy from APES at SAWS. When the APP is reviewed and approved, a letter is sent to the applicant indicating approval. This is needed prior to release of a plat. The AqPP will expire if not utilized within three years from the date the approval letter was issued.
- Water Pollution Abatement Plan (WPAP) – Applicant needs to contact TCEQ to verify if a WPAP is required. If it is required for the development, TCEQ will forward a copy of the completed WPAP to APES. The APES will review and write comments concerning the Water Pollution Abatement Plan to TCEQ. WPAP approval by TCEQ is required prior to release of building permits if applicable.
- Zoning – Zoning (within the city limits) request, when applicable, is forwarded by City Development Services Department to APES. Application is reviewed and a written site evaluation is submitted to City Department of Development Services/Zoning Commission and to the City Council. Interaction with APES is strongly encouraged.

NOTE: Even though a site appears to have the proper zoning such as C-3 for commercial, the intended land use by the developer on the Recharge Zone may require City Council approval thus requiring the site to again go through the zoning process. Check with the City Department of

Development Services for clarification. Required City Council approval for designated land uses can also be found in the Permitted Uses Table in the City's Unified Development Code.

Edwards Aquifer Program Application Checklists

- Water Pollution Abatement Plan (WPAP) Checklist
- Organized Sewage Collection System Plan Checklist
- Underground Storage Tank Facility Plan Checklist
- Aboveground Storage Tank Facility Plan Checklist
- Modification of an Approved Plan Checklist
- Exception Request Checklist
- Extension Request Checklist
- Contributing Zone Plan Checklist
- Modification of an Approved Contributing Zone Plan Checklist
- Contributing Zone Exception Request Checklist
- Contributing Zone Extension Request Checklist

For more information and copies of forms and checklists, go to the San Antonio Water System web site at: www.SAWS.org.

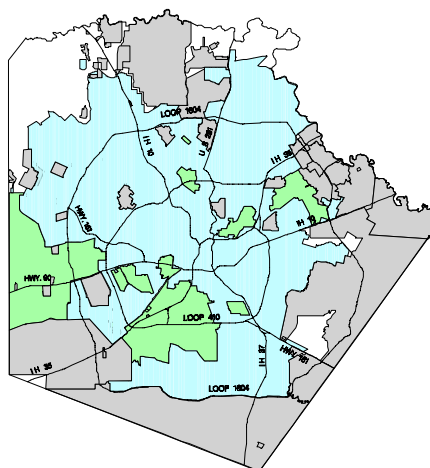
Utility Service Extension Policies

The San Antonio Water System's (SAWS) system extension policies are contained in the San Antonio Water System's Utility Service Regulations, and can be viewed at the SAWS web site in the business center under developer resources.

Water

There are multiple water purveyors within San Antonio and Bexar County. Each purveyor holds a Certificate of Convenience and Necessity (CCN) issued by TCEQ. Within that CCN, the water purveyor is the State's agent to provide potable water service according to its established extension policies. Questions about water extensions may be referred to SAWS Infrastructure Planning Department (704-7070).

SAWS Water Service Area



Before the development process starts, the developer should contact SAWS' Infrastructure Planning Department to check on service availability and secure a Utility Service Agreement. The on-site infrastructure is exclusively a customer responsibility. Once extensions and on-site mains are constructed, they will be dedicated to SAWS for operation and maintenance.

The Developer is responsible for construction of all approach mains to the site. In some cases the development may be eligible for pro-rata refunds as new customers hook on that main for a period of ten years following acceptance of the main.

Oversize Mains – SAWS may elect to oversize a developer-constructed main in order to serve anticipated growth in the area. The developer will be reimbursed in accordance with the provisions of the Utility Service Regulations for SAWS proportionate share of the oversized main.

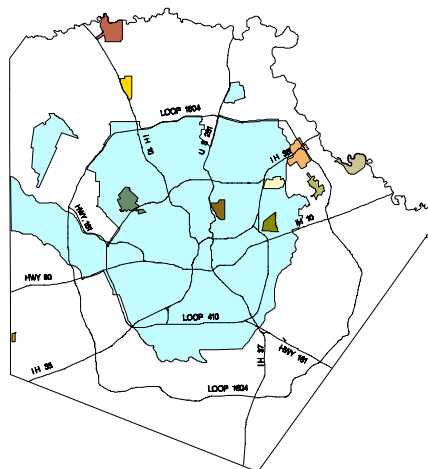
Dedicated On-Site Infrastructure – The developer is responsible for constructing all on-site infrastructure. After SAWS staff inspects and accepts the system, it is dedicated to SAWS for maintenance and operation.

Developer customers should contact the Infrastructure Planning Department (704-7070) located within the Planning, Programming and Quality Control Group for a current fee schedule.

Wastewater

Wastewater service is in accordance with the SAWS Utility Service Regulations. Customers within the Outer Service Area, and as warranted in the Inner Service Area, are handled through individual Utility Service Agreements.

SAWS Sewer Service Area



Line Extensions – Before the development process starts, the developer should contact SAWS’ Infrastructure Planning Department to check on service availability and secure a Utility Service Agreement. The developer is responsible for constructing all on site and off-site mains to serve new development.. Once the mains have been inspected and accepted by the San Antonio Water System, the system is dedicated to SAWS for operation and maintenance.

Oversizings – SAWS may elect to oversize a developer-constructed main in order to serve the total estimated population for the area in question. The developer will be reimbursed for SAWS proportionate share of the oversized main in accordance with the Utility Service Regulations.

Any questions regarding the location or provision of sewer service should be referred to the Infrastructure Planning Department (704-7070) located within Planning, Programming and Quality Control.

Recycled Water

SAWS will provide recycled water on a contractual basis for commercial and industrial customers who are proximate to an existing recycle trunk line. Questions about recycle water availability should be referred to the Resource Development Department, Water Resources Group.

Underground Utility Measurements and Locators – No digging may begin until cleared by SAWS. Requests for measurements and locators from SAWS for Other Utility Location Data must be made to the Counter Services Division at the Cypress Tower office –1222 N. Main Avenue, or by telephone at least 48 hours prior to job need. All routine maintenance and construction work, including new service installations, service relays, new valve installation, new fire hydrant installation must be planned and scheduled at least 48 hours in advance of actual excavation.

All requests for SAWS water and sewer underground facilities information must go to the Counter. Walk-in customers can get measurements or copies of maps and records at the counter. Faxed requests are processed within 48 hours of request. However, when a locator is necessary, it must be coordinated and scheduled through the Communications Division and will require 48 hours from the time of request. Phone requests are also accepted at the Counter.

COMMERCIAL CONSTRUCTION TAB

COMMERCIAL CONSTRUCTION

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COMMERCIAL CONSTRUCTION

Introduction and Permit Categories

Commercial construction projects will be in one of the following categories: new construction (NS), interior finish-out (IF), remodel work (R), demolition (D), or Miscellaneous Commercial (MC). The importance of the category is to determine the scope of review.

- New Construction includes erecting a structure from the ground up or an addition to an existing structure. The initial plan review process time is 35 calendar days.
- Interior Finish-Out includes completion of a shell building or interior remodeling of an existing building and may include interior demolition. The process time is 20 calendar days.
- Remodel work consists of interior and exterior work including parking lots. The initial plan review process time is 15 calendar days.
- Demolition includes partial or total demolition of an existing structure. The initial plan review process is same day.
- Miscellaneous Commercial includes mezzanines, store front replacement, awnings, controlled access gates, marquees, etc.

Steps to Obtain a Commercial Building Permit

1. Ensure that proper zoning and platting are accomplished or in process before submittal of plans.
2. If land is located within or under the jurisdiction of a floodplain, Historic District, Federal Aviation Administration, Edwards Recharge Zone, Military Airport Overlay Zone, River Improvement Overlay District, Texas Highway Department or other zoning overlay district or special zoning district, submit with application evidence of approval or compliance.
3. Prepare construction documents in compliance with all applicable codes.
4. Complete all related paper work. (drainage, tree affidavit/permit application, accessibility AB number, TIA worksheet)
5. Completeness review acceptance.
6. Submit application along with two identical sets of construction documents containing the items on the checklist, one additional landscape plan and pay appropriate fees.

Check the status of your plan review for plan examiner actions, revise plans if necessary. You will be notified when plans are approved. Then you may pay the permit fees and any other outstanding plan review fees and pick up your approved set of plans.

Determine the type of permit or approval review that applies.

The San Antonio Municipal Code establishes many categories of permits and approvals, including: building permits; moving and demolition permits, miscellaneous permits, occupancy permits, development permits, subdivision approvals and policy approvals. Before proceeding with a building permit application, you should determine if a development permit, subdivision approval or policy approval is required for your development. If applicable, these approvals are needed before a building permit may be issued.

- Building Permits require that final construction documents be reviewed before a permit can be issued. The review is ministerial and is approved by the Staff of the Development

Services Department if all code requirements are met. It is denied if code requirement are not met.

- Policy Approvals are requests to amend existing city policies such as changing a zoning designation of land or amending a community, neighborhood or perimeter plan. Policy Approvals require a public hearing.

No Plans Commercial Construction Permit

Several categories of minor commercial construction permits do not require plan review. However the applicant must identify the location of work to be performed with address or legal description. Categories of commercial permits not requiring plans include:

- Electrical replacement and repairs of less then 100 KVA (Kilo Volt Amp), single phase or 150 KVA, 3-phase.
- Electrical annual mechanical permit for mechanical work, or an annual permit may be obtained and required.
- Plumbing repair work such as fixing a water leak, gas leak or sewer repair or replacement of the sewer line, must be performed by a licensed plumbing company.
- A licensed mechanical contractor must perform mechanical replacement and repairs of any heating, ventilating, cooling or refrigeration system.

All permit applications and other information can be obtained at the following locations:

One-Stop Counter

Development & Business
Services Center
1901 South Alamo
M-F 7:45 am to 4:30 pm
207-1111 FAX 207-4403

Valley View Shopping Center Community Link

8523 Blanco Rd. (at West Ave.)
M-F 8:00 am to 6:00 pm
Sat 10:00 am to 6:00 pm
207-6150 FAX 349-9209

South Park Mall Community Link

2310 SW Military Dr
(next to JC Penny's)
M-S 10:00 am to 7:00 pm
207-6141 FAX 922-5568

McCreless Mall Community Link

(at Center Court)
4100 S New Braunfels
M-Sat 10:00 am to 7:00 pm
207-6570 FAX 532-8981

Las Palmas Shopping Center Community Link

803 Castroville (at Gen McMullen)
M-F 8:00 am to 6:00 pm
Sat 10:00 am to 6:00 pm
207-6545 FAX 436-7273

Commercial Building Permit Application and Plan Submittal

Commercial Construction Plan Submittal Check List

Following is a comprehensive Construction Plan Submittal Check list. Please note that the registered design professional shall be the point of contact for commercial projects. The submittal package for a new commercial building permit shall contain documents, drawings or information as shown on this list:

- Index Sheet listing all documents included in the submittal package
- Legal Description
- A copy of the recorded plat attached to the building plans
- Application for Building Permit
- Occupancy Classification Letter, if required
- Fire Flow Test Report
- Tree Affidavit/Permit Application
- Three identical sets of the Landscape Plan with Landscape Architect's seal
- Three identical sets of the Tree Preservation Plan
- Three identical sets of the Irrigation Plan with irrigator's seal
- Two identical sets of construction documents containing at a minimum:
 - Site plan coincides with the platted lot (easements, boundaries, etc)
 - Include Fire hydrant locations, sidewalks, approaches, etc.
- Code Analysis Sheet
- Foundation Plan
- Floor Plan(s)
- Wall Sections
- Exterior Elevations indicating the finished floor elevation of the first floor and overall building height
- Reflected Ceiling Plan (if applicable)
- Plumbing Plan including:
 - Plumbing Riser Diagram
- Mechanical Plan
- Electrical Plan including:
 - Riser Diagram
 - Load Analysis
- Texas Accessibility Standards AB number (TDLR #)

All drawings shall be sealed in accordance with the Architect and/or Engineer's Practice Act

Complete these items for staff to Issue the building permit

- Traffic Impact Analysis (TIA) Worksheet and TIA Study when required
- Certificate of Appropriateness from the Historic Preservation Office (if needed)
- Asbestos Survey (if disturbing existing walls)
- Aviation Department approval (if required)
- Drainage Review (Detention)
- Floodplain determination
- Edwards Aquifer Recharge Zone Development
- Approved Smoke Management and Life Safety Reports
- Drainage Study (detention)

Commercial Permits

The purpose of regulating building construction within the City Limits of San Antonio is to promote the public good by ensuring that new construction meets minimum acceptable standards. These codes deal with life, safety, health, welfare, sanitation, drainage, environmental issues and fire prevention. A building permit includes construction of sidewalks and driveways but *does not include any utility construction in the right-of-way*. A right-of-way excavation permit must be obtained. Other permits that might be needed:

- Sidewalk interruption permit
- Street interruption permit
- Traffic lane closure permit in conjunction with utility construction
- Right of way excavation permit for excavation, aerial work or manhole work
- Right of way use permit

Applicable Construction Codes

The City of San Antonio has adopted the 2003 IBC, 2003 IFC, 2003 UMC, 2003 UPC, 2002 NEC, 2000 IECC, 2002 IRC, and the Guidelines for the Rehabilitation of Buildings, 1st Printing, 2001. All codes have local amendments available in the San Antonio City Clerk's Office. All codes are subject to amendment as deemed appropriate by the City Council of San Antonio. These "model" codes are developed by national organizations and updated on a regular basis, typically every three years.

Building construction provisions are the laws that provide for building safety and quality of life. The laws are based on sound engineering and construction principles. Construction provisions are not intended to restrict the use of new materials or construction systems, although they are generally proscriptive in nature. They are flexible in their applications and may incorporate performance-based criteria.

Commercial Building Permit

Two complete sets of proposed construction plans drawn to an appropriate scale should be submitted for a building permit. An application containing several informational items must be completed to assist the plan reviewer in determining the occupancy group and life safety requirements in order to ensure that minimum construction standards are being met. Plans shall be complete and legible and allowing the plan checker to review these drawings and specifications with as few questions as possible. Plans shall include all pertinent aspects of construction. If the building is required by code to be fire resistive, all aspects of such fire- recognized designed shall be detailed or noted with appropriate U.L. or recognized designed reference number.

The submittal of plans without all the necessary requirements occurs frequently. The majority of the time, the applicant requires that the review process begin while additional drawings are being completed. The time for plan review starts, though the review cannot be completed until the other drawings are submitted. This creates a delay not only for the project submitted, but also for those who submit complete plans, therefore incomplete submittals will not be accepted.

SUBMITTAL REQUIREMENTS

1. If an architect develops plans they must be sealed in accordance with the Architectural Practice Act. All plans with architect's title shall be sealed, including those prepared by engineers.
2. All commercial buildings which the area is 5,000 S.F. or greater floor area, or two-story or with a clear span of over 24' shall have plans sealed in accordance with the Engineering Practice Act. Some multi-family dwellings may NOT require engineering. Metal-framed structures require structural engineering.

- a. Metal buildings require engineered framing plans along with the construction plans.
- b. When a modular building is involved, conditional permits may be issued. The state issues certification numbers, which must be submitted along with construction plans.
3. Applicant should ensure that proper zoning and platting are accomplished or are in process before submission of plans. If in process, it should be so stated, included preliminary plat number or subdivision name.
4. Plans submitted with statements such as "not for construction," "preliminary," "for bid only," will not be accepted.
5. If land is located within or under the jurisdiction of a floodplain, Historic District, Federal Aviation Administration, Edwards Recharge Zone, Military Airport Overlay Zone, Texas Highway Department, etc., submit with application evidence of approval.
6. If the building project exceeds \$50,000, plans must be submitted for review by the Texas Department of Licensing and Regulation, Architectural Barriers Division and TDLR # obtained.

COMMERCIAL BUILDING PLAN REQUIREMENTS

The following requirements are minimum in nature and every plan is reviewed on an individual basis. AVOID DELAYS - ensure that the above requirements are met when plans are first presented.

Site Plan

1. Shall show the entire lot, not just as part of a lot or lease lines. Should the parcel be unusually large (25 acres), a location detail plan may be used.
2. All easements, right-of-ways, and existing structures shall be shown. If unusually large (see1), show all structures within 100 feet.
3. Show existing and proposed sidewalks, approaches and curbs within right-of-way.
4. Show existing and proposed parking layout, including access aisles.
5. Show location of the building within the site.
6. Grade differentials should be shown on plans to determine if landings and steps are required, otherwise inspection denials will result and contractor's field alterations will be required.
7. Location of on-site utilities.

Demolition Plan

1. Show all walls to be removed for interior lease space.
2. Show location of building to be demolished.
3. Asbestos abatement plan?

Foundation Plan

1. Show layout of exterior/interior beams.
2. Show exterior/interior beam details.
3. Foundation should be done in accordance with City of San Antonio specifications or be engineered, per regulation of Texas Engineering Practice Act.
4. All foundations 5000 square feet or more are required to be engineered per the Texas Engineering Practice Act. See basic requirements.

Floor Plan

1. Plans for an addition to an existing building or lease space shall show the entire floor plan and use, as well as the addition, noting all rooms and their use, e.g., receptionist, lunch room, secretary, etc.
2. All drawings shall be drawn to an appropriate scale.

3. Plans should note the existing walls and construction to be demolished.
4. The square footage of addition, finish-out, remodel and new construction shall be listed on the plans to determine code compliance.

Exterior Elevations

Minimum of two elevations must be included indicating the finished floor elevation in feet above mean sea level and overall building height.

Typical Wall Section

Sufficient wall sections and other relevant details shall be presented clearly indicating the method of construction. The Building code requires fire resistive design to be clearly and completely presented.

Tree Preservation Plan

Special site plan showing locations of all protected trees 6" diameter or larger and small tree species at 2" diameter or greater.

Landscape Plan

A special site plan showing proposed landscaping. Requires landscape architect seal for projects with more than 4,300 square feet of impervious surface.

Irrigation Plan

Where an irrigation system is required, the irrigation system must comply with the requirements of 30 TAC Chapter 344, Sections 344.72-344.77. State of Texas Licensed Irrigator seal with number clearly visible and a letter from the Licensed Irrigator stating that the plan conforms to the irrigation design and equipment standards set out in 35-510(j) and 35-511©(6) attached to the submittal.

Grading and Drainage Plan

Site plan showing existing and proposed grade elevations, proposed drainage structures, plans and profile sheets for drainage structures.

Traffic/Sidewalk Site Plan

Show and provide dimensions of all parking lots, spaces for handicapped, driveways, approaches, lanes, sidewalk location within site and adjacent right-of-way pavement width.

Fire Code Review Requirements

1. Fire hydrant location:
No more than 300 feet along a direct line; or 500 feet along the route of travel. This information is to be blue lined on the plans and not penciled or penned (red lined) on prints.
2. Water main plans:
 - a. Size of water main
 - b. Water flow. These items are also to be blue lined on the plan and not penciled in (red lined).
3. Use of building/lease space-see Building Requirements.
4. Fire Department access:
The applicant must supply detailed plans for ingress, egress and turnaround space when required by Uniform Fire Code. The requirements are based on building distance to street, size, use, etc.
5. Areas of Rescue Assistance.

Mechanical Requirements

1. Two complete sets of mechanical plans are required in new construction, interior completions and remodeling showing and identifying the work to be covered by the Mechanical permit.
2. Engineered mechanical plans are required with construction area exceeding single story or 5000 square feet as required by state Engineering Practice Act.

EXCEPTION: If HVAC exists and no modifications to the mechanical system are made, the general contractor must state so on both sets of plans submitted.

Electrical Requirements

1. New construction, interior completions, remodeling and repairs require electrical load information, and also an indication of size of feeders, switchgear and/or panel boards and conductors.
2. Engineered electrical plans are required when the construction area exceeds 5000 square feet as required by State Engineering Practice Act and single phase load over 100 KVA or three-phase over 150 KVA as required by city amendments.
3. Interior repairs require a drawing showing information or existing and proposed installation and load calculations.

Plumbing Requirements

1. New construction requires two complete sets of plumbing drawings indicating type of material, size of drain waste and vents, and gas and water piping, and sewer line. Drawings must show location of fixtures and appliance, as well as type and location of backflow preventing device for protection of internal potable water system when required by the Plumbing Code. For those establishments requiring interceptors, refer to Appendix H of the Uniform Plumbing Code for sizing requirements.
2. Engineered plumbing plans are required when construction exceeds 5000 square feet as required by State Engineering Practice Act.
3. Interior completion for remodeling requires plumbing fixtures to be shown on floor plans.

EXCEPTION: If plumbing exists and no modifications to the plumbing system are made, the general contractor must state so on both sets of plans. However, plumbing facilities will need to be verified to assure that the restroom requirements will be adequate for the building modification.

Permits for mechanical, electrical and plumbing work will only be issued to licensed and bonded contractors.

Tree Affidavit/Permit

The form used for compliance is the Tree Affidavit/Permit application. When applying for a building permit, one tree affidavit/permit application with three copies of the tree preservation plan (tree inventory protection notes) are required. The applicant should choose one of four options as described in the Tree Preservation section of this manual.

Sign Permit General Overview

Most City of San Antonio sign regulations are located in Chapter 28 of the City Code. However, some references to specific items are located in Chapter 35 of the Unified Development Code (zoning issues) and Chapter 10 “Electricity” (Installation and Licensing Issues). In general, signage is classified as on-premise or off-premise advertising. On-premise signs, either electric or non-electric, advertise a service, product, or business that is located on the land where the sign is located. Off-premise signs (billboards) advertise a service, product, or business not available on the premise where the sign is located. Permits are issued to only those individuals who have a valid sign installation license with the Department of Development Services.

The above requirements are minimum and stated as an overview only. Any additional questions can be directed to the Chief Sign Inspector at 207-8289 or the City Code

GENERAL REQUIREMENTS

Site plan review entails looking at the location for any possible conflicts with City Code. Article IX of Chapter 28 of the City Code adopted December 1994 set out specific regulations regarding height, size, and spacing of on-premise signs. This section uses the street classifications as the determining factor to establish the square footage and height requirements of on-premise signs. In general, all lots may have at least one freestanding sign per 150 foot of frontage per platted lot. If additional signs are required, they must maintain at least 150’ of spacing away from any other free standing signs on the same lot and may only be 75% of the allowable height and square footage for that street classification. Multiple-tenant signs advertise three or more occupants on the same premises and they may have higher height and square footage for their street classification. There are certain setback requirements from the property lines and easements based on the height of the signs. Wall signs are allowed and all signs attached or painted on any building shall not exceed 25% of the building façade as viewed from one direction. Appeals to these regulations or provisions of this article may be made.

BASIC REQUIREMENTS FOR SUBMITTAL OF SIGN PERMIT APPLICATIONS

Permits are not required for any non-electrical signs smaller than 15 sq. ft if attached to a building or fence. Signs larger than 15 sq. ft. do require permits. Any electric sign indoor or outdoor of a building, regardless of size requires permits. Any freestanding signs, electric or non-electric requires permits. City Code prohibits new off premise sign permits, except some may be relocated to another site and require a two-for-one removal. The sign contractor must submit two sets of plans drawn to scale for review and any other necessary information to evaluate the sign application. Zoning and other land use regulations also can affect the sign permit process. Once the application has been reviewed and approved, the permit may be issued to the licensed contractor. Plans can be submitted at 1901 S. Alamo.

OTHER PROVISIONS THAT MIGHT AFFECT THE SIGN PERMIT PROCESS

Zoning can affect the height and size requirements. In addition areas within Historic Districts, River Improvement Overlay Districts, Urban Corridors, Scenic Corridors, View Shed Protection Districts, Gateway Corridors, Neighborhood Conservation Districts, and High Priority Corridors may have different requirements. Those properties with additional requirements will be forwarded for the appropriate Department to review and approved before proceeding with the application.

Building Permit Application Plan Review

Most plan reviews follow the standard plan review process. This standard process involves a review by each trade required to review the project. The following provides a description of the standard time that it takes to initially review a plan and the various plan review services available. However, this time frame may vary depending on the complexity of the project.

Preliminary Plan Review Service

- This service allows customers to meet with the plan examiner to discuss any issues that should impact their plan review.
- Prior to submission of construction plans, a customer may request city plan examiners to participate in a Preliminary Plan Review Session.
- A fee of \$75.00 per hour per plan examiner attending the meeting shall apply with a minimum of one-hour charge per examiner.
- The customer must request the plan examiner he/she would like to meet at this session, i.e. building, fire, plumbing, electrical, health, traffic, drainage, historic, mechanical, etc. Customer must contact Plans Coordinator to schedule appointments. The time and date must be given at the time of call. Also you will receive a confirmation letter regarding the scheduled appointment from the Building Inspection Department. Failure to meet scheduled appointment must require a minimum charge of \$100.00.

After Hours Plan Review Service

- This service allows all types of plans to be reviewed outside regular working hours.
- Fee of \$75.00 per hour, per plans examiner is charged for this service, with a minimum of one-hour charge.
- A request form must be completed authorizing charges for After Hours Plan Review service.

Plan Review By Appointment

- A Plan Review By Appointment is for construction projects that can normally be reviewed by all trades within 15 days. A description of the project must be provided in sufficient detail in order to be considered eligible for this service.
- Customers are to submit a letter requesting a plan review by appointment meeting.
- Based on availability of dates, an appointment will be set and plans must be submitted 15 days prior to the scheduled date. This time allows for the plan to be reviewed. The goal of the plan review by appointment process is to approve and issue a permit for construction. If a permit is not issued the customer should have a clear understanding of what is needed to gain approval.
- A fee of \$75.00 per plans examiner per hour will apply in addition to regular plan review and permit fees, with a minimum of one-hour charge per trade. The only trades that may charge for this service are building, electrical, plumbing, mechanical, fire, engineering and drainage.

"Walk Thru" Plan Review Service

- "Walk Thru's" allow a customer to submit a plan up to 3000 sq. ft. and get a permit the same day.
- The types of construction projects eligible to process plans with this service are interior finish-out projects, i.e., office space, small retail, interior demos, etc.
- The department will assign a plan review number. The customer will meet plan examiner. Based on the plan examiners brief review of the project, a determination is made if the project qualifies to be a walk-thru. "Walk Thru" plan reviews are performed on Mondays, Wednesdays, and Fridays, from 8:00 am to 3:00 pm. If the project qualifies the review is performed and a permit issued. If it is not the plan is submitted for a standard plan review.

One-Stop Counter Plan Review Service

Minor plans may be reviewed and approved on the same day at the One Stop Counter. The following types of improvements are eligible for One Stop Counter Plan Review:

- Permit writers can approve residential Additions and accessory buildings of less than 1,000 sq. ft. at grade. Additions and accessory buildings over 1,000 sq. ft. may also be approved at the One Stop Counter with appropriate plan submittal.
- Business Occupancy - Existing office interior work without change in occupancy may be approved at the One Stop with the following conditions:
 - Under 3,000 sq. ft.
 - No conference room over 375 sq. ft.
 - No classrooms or training rooms over 1,000 sq. ft.
 - Less than 30 occupants
 - No reduction of plumbing fixtures
 - This does not include mixed uses of greater than 10% or office/warehouse operations.
- Mercantile Occupancy - Existing retail space work without change in occupancy (must be under 49 occupants) under 1,500 sq. ft.
- Other Occupancy types - Occupants must be existing owners or tenants and work is for minor repairs such as, repairing walls, floors, ceilings, tiles and not increasing occupant load or change the use.

Plans Under Review

Note: There are specific zoning overlay districts which require review for conformance to design standards. These reviews may require additional submittal requirements.

INQUIRE INTO STATUS

For information on the status of your plan review you may call 207-1111 or access our website at **www.sanantonio.gov/dsd** Whether *calling or accessing you must know your plan number.*

REQUESTING AN APPOINTMENT WITH THE PLAN EXAMINER

Plan Examiners are available by appointment ONLY, on a first come, first served basis. For appointments with a Plans Examiner, call 207-1111. Plan Review Managers and Development Services Manager are available for consultation and to schedule meetings with staff as may be necessary to discuss or resolve issues. Plan Review Managers may be reached at 207-1111. The Development Services Manager may be reached at 207-0001

PLAN EXAMINER ACTIONS

Following are possible actions taken by a plan examiner:

- Approve – Upon approval of plans by all examiners, city will contact the customer and provide any additional plan review and permit fee amounts.
- Denied – When any of the plan examiners finds a discrepancy with plans.

SUBMITTAL OF REVISED PLANS

Once comments from all reviewers have been received, submit a comprehensive revision back to the Plan Review Manager. Include a cover letter indicating how each comment has been resolved and two sealed and signed copies of all reviewed drawings.

Approved Plans

Once a plan is approved, the applicant will be notified by telephone. The applicant must go by the first floor of the Development and Business Services Center to get a set of the approved plans. Payment must be made with the first floor cashiers prior to issuance of the approved set to the applicant.

Construction Inspections

All work that requires a permit is subject to inspection by the official responsible for compliance. Buildings to be inspected must remain accessible for inspection purposes until it is approved. The Commercial Inspection Manager at 207-8314 is available to assist customers with any type of inspection questions or issues in their respective areas.

Building Inspections

You may call for inspections at 207-1111. Building Code Field Inspectors will conduct an on-site visit to determine whether or not your construction project is in compliance with the uniform building code. If the field inspector could not inspect or approve, he will leave a red tag disapproval slip to identify the deficiencies. Once you have made the necessary corrections you may call for re-inspection.

TREE PRESERVATION

- An initial inspection occurs prior to any site work being initiated, including clearing and grading. Site plan with the tree preservation plan (tree inventory protection notes) is required for the inspector. A final inspection is required for the Certificate of Occupancy and can include both tree preservation and landscape.

FOUNDATION INSPECTION

- Is to be made after excavations for footing are complete and forms and reinforcing steel is in place. A letter from the structural engineer of record may be submitted in lieu of inspection.

FRAME INSPECTION

- Is to be made after the roof, all framing, fire blocking, and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, heating and air conditioning are in place and approved.

INSULATION INSPECTION

- Is to be made after plumbing, electrical rough in and the framing inspections have been approved and an approved insulating material has been installed. A certification from the installer is acceptable in lieu of an inspection.

FINAL INSPECTION

- Is to be made after finish grading and the building is completed and ready for occupancy.

SPECIAL INSPECTIONS

- In addition to the inspections listed above, the owner or the engineer or architect of record acting as the owner agent shall employ one or more special inspectors who shall provide inspections during construction as per Chapter 17 of the Uniform Building Code (UBC).
- Inspection by Independent Contract Provider for Texas Accessibility Standards of the Texas Department of Licensing and Regulation Architectural Barriers Division.

Electrical Inspections

- Site work inspections are performed before any ditches are covered containing electrical conduits or junction boxes. These conduits would typically be feeding the building (service conductors or feeders), parking lot lighting, or miscellaneous outside branch circuits.
- Slab inspections are performed prior to placement of concrete to inspect any conduits or boxes placed in the slab.
- Wall rough-in inspections are performed to inspect conduits, boxes, electric panels, etc. prior to any wall covering such as sheet rock, plaster, acoustic, etc.
- Ceiling inspections are performed to inspect conduits, boxes, electric panels, etc. prior to any ceiling covering such as sheet rock, plaster, acoustic, etc.
- Final inspections are performed to inspect the final installations of receptacles, lighting, emergency systems, electric panels etc.

Mechanical Inspections

- Rough-In inspections are performed to inspect mechanical equipment, duct system, venting system, and combustion air opening drain lines and refrigerant lines, etc. prior to any ceiling coverings such as sheet rock or acoustic material.
- Final Inspections are performed to inspect the final installation of mechanical equipment, check electrical disconnects, light, proper conduit, control wiring, gas connections and proper access requirements, etc.

Plumbing Inspections

- Site work inspections are performed before any ditches containing plumbing, gas, sewer, or water lines are covered.
- Rough-in inspections are performed prior to placement of steel, base or concrete to inspect any plumbing lines placed in the slab.
- Water line inspections are performed prior to the slab being poured.
- Top out inspections are performed to inspect drains, vents, gas lines and water lines, etc. prior to any wall covering such as sheet rock, plaster, paneling, etc.
- Final inspections are performed to inspect the final installation of gas lines, fixtures and equipment for proper connections and use.

Construction Engineering Inspections

TRAFFIC

- Architects and engineers should have knowledge of the Unified Development Code.
- Contractor must read the back of plans for Traffic/Sidewalk/Drainage requirements.
- All striping/H/C parking and signs must be completed. H/C ramps must ramp into sidewalk, not into parking area.
- Any drains in City ROW or easements must meet City specifications and be inspected by Public Works Inspectors.
- Parking lot cannot drain over sidewalks; it must have sidewalk box drain.

- All site work must be completed.
- Keep approved City plans available when calling for final traffic inspection. Call 207-1111 for inspections. When calling for inspection, please indicate building permit number and address.
- A registered and bonded contractor must obtain a permit.

DRAINAGE

- A registered and bonded contractor must obtain a permit.
- The project engineer shall submit a letter of certification affirming that the detention pond was built according to the approved set of plans.
- A Public Works inspection is required when tying into the storm sewer system.

SIDEWALKS/APPROACHES

- Commercial – must have City approved plans on site.
- Permits must be posted on site when requesting inspections.

Inspections will be made within 24 hours of call-in time. Do not pour without inspection. If 24 hours elapses, call 207-1111 immediately.

For lane closures, call Traffic Coordinators:

North of Commerce Street – Ray Macias – office 207-7760; mobile 422-6505

South of Commerce Street – Alfredo Morales – office 207-7763; mobile 219-6954; pager 603-8481

Right of Way Permit

As part of the building permit process, a right of way permit is required when using, trenching, boring or performing any other type disturbance on a city street, including above ground aerial work and manhole work.

San Antonio Water System Inspections

WATER & SEWER

- This is only for water and sewer in the right-of-way to include recycled water.
- Inspections must be called in to the office at 704-7110. Leave phone number of contact person.
- Inspection of sanitary sewer laterals over the ERZD (outside the CoSA City Limits) connecting to SAWS sanitary sewer mains are to be scheduled with SAWS representative at the CoSA “One-Stop Counter” at 207-0115.

The Storm Water Construction Compliance section performs inspections within the City of San Antonio and its ETJ.

Landscaping (Final Inspection Only)

For a final landscape inspection, an approved landscape plan that meets mandatory requirements must be available to the inspector. Final inspection is required for the Certificate of Occupancy and can include both tree preservation and landscape.

Fire Department Inspections

1. Once the job is complete the contractor or sub-contractor must call the Fire Department to schedule an inspection. Inspections such as Final Shell inspections are usually done the next day if called in before noon.
2. If a fire alarm system needs to be inspected and tested, a letter of completion must be presented to the fire inspector upon his arrival at the site. The letter of completion certifies that the company has installed all devices required by the fire code and that all devices are working properly. Appointments are scheduled 5 days in advance.
3. If a sprinkler system needs to be inspected, the contractor must run a two-hour hydrostatic test and check for leaks prior to the arrival of fire inspector. Appointments are scheduled 5 days in advance.
4. If a hydrant or underground fire line needs to be inspected the sub-contractor must call for a visual inspection of the fire line prior to burying the line. When the hydrant has been completely installed then a hydrostatic test is required. Appointments are scheduled 5 days in advance.
5. All fire inspections are scheduled on a first come-first served basis. Call the main office at (210) 207-8410 and ask for the scheduler.
6. Prior to any inspection by the Fire Prevention Bureau, a set of approved plans signed by the Fire Prevention Plan Review Section must be on site. A set of the comment sheets that were attached to plans must accompany these plans.
7. The Final Shell inspections will only be performed when all other Fire Prevention Inspections are complete and approved.
8. Upon completion of the inspection or test, an inspection form will be issued to the contractor showing whether it passed or failed. Information on the inspection form will then be entered into the City's computer system to clear the site for approval and a Certificate of Occupancy.

Health Department Inspections

If you have applied for a Certificate of Occupancy for a food establishment, you need to contact Health Inspections directly at 207-8853. A health inspector will conduct the inspection using a standard Health Department checklist. The checklist will identify deficiencies that need to be corrected. If the inspector disapproves the inspection, you must correct the deficiencies before obtaining approval. Once you have made the necessary corrections, you may call for re-inspection. A Health Department Inspector must inspect and approve the premises prior to issuance of a food license. *Your C of O will not be issued until the Health Department has cleared your establishment.*

A proposed food establishment must meet all State Health Codes and Laws, including having approved water and sewerage facilities. The establishment must also meet requirements of the Fire Marshall's office. Documentation of these items is required prior to approval of any new establishment for operation, a change of ownership of an existing establishment, beer license approval or when it is determined that your current on-site sewer or water system is not an approved facility or has malfunctioned.

A valid Certificate of Occupancy must be presented at the time the food license is to be purchased or the license cannot be issued.

Alcohol Sales TABC Inspection

Alcohol sales inspections are not all-inclusive and can be more detailed and in-depth depending on size, type and use of building.

An applicant for a permit for a location not previously licensed for the on-premises consumption of alcoholic beverages must prominently post an outdoor sign at the location within 60 days of the

date the application is filed stating that alcoholic beverages are intended to be served on the premises, the type of permit, and the name and business address of the applicant.

RESIDENTIAL CONSTRUCTION (TAB)

RESIDENTIAL CONSTRUCTION

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Residential Construction

Introduction and Permit Categories

Most residential plan reviews follow the standard plan review process. The following provides a description of the standard time that it takes to initially review a plan. However, this time frame may vary depending on the complexity of the project. Your project will be Residential Plan (RP) or miscellaneous residential (MR). The importance of this is to determine the scope of review.

A Residential Plan includes a new residential structure built from the ground up, a one-story residential addition larger than 1000 sq. ft., or any two-story residential addition. The plan review process time is 10 calendar days. Miscellaneous Residential includes a Manufactured Home or Mobile Home installation placed on a single family lot, residential swimming pools, which are to be reviewed within 10 calendar days.

Steps to Obtain a Residential Building Permit

1. Ensure that proper zoning and platting are accomplished or in process before submittal of plans.
2. If land is located within or under the jurisdiction of a floodplain, Historic District, San Antonio Development Agency or other zoning overlay district or special zoning district, submit with application evidence of approval.
3. Identify Model Code requirements.
4. Affix architect's and/or engineer's seal when required for plans
5. Determine which procedures apply.
6. Follow the Commercial Building Plan Requirements for all
7. Submit two identical sets of construction documents containing the items on the checklist.
8. Select the appropriate plan review process or plan review service for your plans.
9. Check the status of your plan review for plan examiner actions, revise plans if necessary.
10. Begin construction and schedule inspections.

No Plans Residential Construction Permit

These are Permits That Do Not Require Plan Review

1. Need to identify location of work to be performed with address or legal description.
2. Residential
 - A. Repairs/Maintenance – require a narrative description of the work to be performed or a specific sheet, or drawing explaining the materials to be used is sufficient
 - B. Fire Damage Repairs - A fire damaged structure assessment will be required when a building has been damaged by fire. An on-site inspection is required for all fire damage repairs.
 - C. Residential swimming pools, exterior sidewalks, fences, driveways, or sidewalks located inside the property. A site plan showing the location and extent of work is required.
 - D. One-story additions less than 1000 sq. ft.
 - E. A licensed electrical contractor must perform electrical work. Work includes replacement and repairs of outlets, additional outlets, addition of ceiling fans, etc.
3. Exemptions to no plan permits

If located in a Historic District, Military Airport Overlay District, Edwards Aquifer Recharge Zone, flood prone area and San Antonio Development Agency area.

- A. Mechanical – Any work to a mechanical system must be performed by the licensed mechanical contractor. However, a homeowner's permit can be obtained for duct work and furnace work provided such work is done in his/her homestead.
- B. Plumbing- A homeowner may perform limited plumbing work as described under the state licensing law. A homeowner permit must indemnify that the homeowner will perform the work. A licensed contractor will perform all other plumbing.
- C. Home improvements- may involve additions or remodeling and must be performed by the owner or a licensed home improvement contractor. The addition must be less than 1000 square feet. Although no construction plan is required, a site plan is required to show the extent and location of the work is required. All permit applications can be obtained at the One Stop.

Residential Building Permit Application and Plan Submittal

Residential Construction Plan Submittal Check List

The submittal package for a new residential building permit shall contain the following:

- Legal Description

- A copy of the recorded plat attached to the construction plans

- Tree Preservation Plan with the completed Tree Affidavit/ Permit application

- Application for Building Permit

- Two identical sets of construction documents containing at a minimum:

- Site plan coincides with the platted lot (easements, boundaries, etc)

- Foundation Plan

- Floor Plan(s)

- Wall Sections

- Exterior Elevations

- Floodplain determination

All drawings shall be sealed in accordance with the Architect and/or Engineer's Practice Act.

Building permits are required for all construction within the City of San Antonio except as noted in this Development Process Manual.

Residential Permits

The purpose of regulating residential building construction is to promote the public good by ensuring that new construction within the City Limits of San Antonio meets minimum acceptable standards. These codes deal with life, safety, health, welfare, sanitation, drainage, environment and fire prevention.

Applicable Construction Codes

The City of San Antonio has adopted the 2003 IBC, 2003 IFC, 2003 UMC, 2003 UPC, 2002 NEC, 2000 IECC, 2002 IRC, and the Guidelines for the Rehabilitation of Buildings, 1st Printing, 2001. All codes have local amendments available in the San Antonio City Clerk's Office. All codes are subject to amendment as deemed appropriate by the City Council of San Antonio. These "model" codes are developed by national organizations and updated on a regular basis, typically every three years.

Building Construction provisions are the laws, which provide for building safety and quality of life. The Laws are based on sound engineering and construction principles. Construction provisions are not intended to restrict the use of new materials or construction systems, although they are generally proscriptive in nature. They are flexible in their applications and may incorporate performance-based criteria.

Two complete sets of proposed construction plans drawn to an appropriate scale should be submitted for a building permit. An application containing several informational items must be completed to assist the plan reviewer in determining the occupancy group and life safety requirements in order to ensure that minimum construction standards are being met. Plans shall be complete and legible, allowing the plan checker to review these drawings and specifications with as few questions as possible. Plans shall include all pertinent aspects of construction. If the building is required by code to be fire resistive, all aspects of such fire recognized designed shall be detailed or noted with appropriate Underwriters Laboratory or recognized designed reference number. Interior completion for remodeling requires an engineer's seal when construction area exceeds 5000 square feet as required by State Engineering Practice Act.

The submittal of plans without all the necessary requirements occurs frequently. The majority of the time, the applicant requests that we begin the review process while other drawings are being completed. The time for plan review starts, though the review cannot be completed until the other drawings are submitted. This creates a delay, not only for the project submitted, but also for those who submit complete plans, therefore incomplete submittals will not be accepted.

Submittal Requirements

1. Index sheet indicating all submittal plans and documents
2. If an architect develops plans, they must be affixed with his seal in accordance with the Architectural Practice Act. All plans with architect's title shall have the seal, including those prepared by engineers.
3. All residential buildings that are metal-framed and CMU (concrete masonry units) require structural engineering.
4. Applicant should ensure that proper zoning and platting are accomplished or in process before submittal of plans. If in process, it should be so stated. Include preliminary plat number or subdivision name.
5. Plans submitted as "not for construction," "preliminary," "for bid only," etc., are not accepted.
6. If land is located within or under the jurisdiction of a floodplain, Historic District, successor to the San Antonio Development Agency, etc., submit with application evidence of approval.

Plan Requirements

SITE PLAN

1. Shall show the entire lot, not just as part of a lot or lease lines.
2. All easements, right-of-ways, and existing structures shall be shown.
3. Show existing and proposed sidewalks, approaches and curbs.
4. Show existing and proposed off-street parking. (driveway)
5. Show location of the building within the site.
6. Grade differentials should be shown on plans to determine if landings and steps are required, otherwise inspection denials will result and contractor's field alterations required.

FOUNDATION PLAN

1. Show layout of exterior/interior beams.
2. Show exterior/interior beam details.
3. Show foundation panel details, size & spacing
4. Foundation should be done in accordance with City of San Antonio specifications or be engineered per regulation of Texas Engineering Practice Act.

FLOOR PLAN

1. Plans for an addition to an existing building or lease space shall show the entire floor plan and use, as well as the addition, noting all rooms and their use, e.g. bedroom, kitchen, den, etc.
2. All drawings shall be drawn to an appropriate scale and be legible.
3. Plans should note the existing walls and construction to be demolished.
4. The square footage of addition, remodel and new construction shall be listed on the plans to determine code compliance.

TYPICAL WALL SECTION

1. Sufficient wall sections and other relevant details shall be presented clearly indicating the method of construction.
2. When appropriate, the building code requires that fire resistive design be clearly and completely presented.

Permits for mechanical, electrical and plumbing will be issued only to licensed contractors.

MECHANICAL REQUIREMENTS

Mechanical Plans shall show location of the work proposed and show in detail that it will conform to the provisions of the Uniform Mechanical Code and Amendments.

ELECTRICAL REQUIREMENTS

Electrical plans shall show all required GFI's, lights, vents per NEC 2002 and amendments.

PLUMBING REQUIREMENTS

Plumbing plans shall show all plumbing and appliance fixtures per UPC 2003 and amendments.

Manufactured Home/Mobile Home Placement Permit

A Placement Permit is required for a manufactured home or mobile home being placed on a platted lot within the City of San Antonio limits. The lot must be zoned MH, Manufactured Home District. The standard building permit application is to be completed. Information must include the following:

- Legal description of the lot.
- A legible site plan of the lot drawn to scale must be submitted indicating the location of the unit on the lot.
- Septic tank approval form from Bexar County Public Works Department. (stamped application)
- Tree Affidavit/Permit form

- Blue label decal number from the unit.
- Foundation plan and anchors per engineer or as per Certified Texas Installer.
- Submit form/letters (Manufactured Home Installation Report-Form T) of installation for foundation and anchors after permit is obtained by qualified installers prior to final inspection for electrical hook-up.

Plan Review

After Hours Plan Review Service. If the customer requests an expedited review, a request for express plan review must be submitted. The appropriate fee will be identified and paid upon submittal.

Plans Under Review

INQUIRE INTO STATUS

For information on the status of your plan review, you may call 207-1111 or access our website at www.sanantonio.gov/dsd Whether calling or using website access, you must know your plan number.

REQUESTING AN APPOINTMENT WITH THE PLAN EXAMINER

Plan Examiners are available by appointment ONLY. The dates reserved for these appointments are Monday afternoon and Friday morning. For an appointment, call 207-1111. Appointments are scheduled on first come, first serve basis.

PLAN EXAMINER ACTIONS

Following are possible actions taken by a plan examiner:

- Approve – Upon approval of plans by all examiners, city will contact the customer and provide any additional plan review and permit fee amounts.
- Denied– When any of the plan examiners finds a discrepancy with plans.

SUBMITTAL OF REVISED PLANS

Upon notification by Plan Examiner of a hold comment, you may submit corrected information directly to the plan examiner via telephone, fax, E-mail, or mail.

APPROVED PLANS

Once a plan is approved the applicant will be notified. The applicant must go to the first floor, Development and Business Services Center to get a set of the approved plans. Payment must be made to the first floor cashiers prior to the issuance of the approved plans.

Inspections

Building Inspections

You may call for inspections at 207-1111. Building Code Field Inspectors will conduct an on-site visit to determine whether or not your construction project is in compliance with the uniform building code. If the field inspector cannot inspect or approve, he will leave a red tag disapproval slip to identify the deficiencies. Once you have made the necessary corrections, you may call the phone number above for re-inspections. The Residential Inspection Manager at 207-8286 is available to assist applicants with any inspection question or issue.

FOUNDATION INSPECTION

Is to be made after excavations for footing are complete and forms and reinforcing steel is in place. A letter from the structural engineer of record may be submitted in lieu of inspection.

FRAME

Is to be made after the roof, all framing, fire blocking, and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing and heating and air conditioning are in place and approved.

INSULATION

Is to be made after plumbing, electrical rough-in and the framing inspections has been approved and an approved insulating material has been installed. A certification from the installer is acceptable in lieu of an inspection.

FINAL INSPECTION

Is to be made after finish grading and the building is completed and ready for occupancy.

OTHER INSPECTIONS

In addition to the called inspections specified above, the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws, which are enforced by the enforcement agency.

Electrical Inspections

- Site work inspections are performed before any ditches are covered containing electrical conduits or junction boxes. These conduits would typically be feeding the building (service conductors or feeders), parking lot lighting, or miscellaneous outside branch circuits.
- Slab inspections are performed prior to placement of concrete to inspect any conduits or boxes placed in the slab.
- Wall rough-in inspections are performed to inspect conduits, boxes, electric panels, etc. prior to any wall covering such as sheet rock, plaster, acoustic, etc.
- Ceiling inspections are performed to inspect conduits, boxes, electric panels, etc. prior to any ceiling covering such as sheet rock, plaster, acoustic, etc.

- Final inspections are performed to inspect the final installations of receptacles, lighting, emergency systems, electric panels etc.

Mechanical Inspections

- Rough-In inspections are performed to inspect mechanical equipment, duct system, venting system, and combustion air opening, drain lines, and refrigerant lines, etc., prior to any ceiling coverings such as sheet rock or acoustic.
- Final Inspections are performed to inspect the final installation of mechanical equipment, check electrical disconnects, light, proper conduit, control wiring, gas connections and proper access requirements.

Plumbing Inspections

- Site work inspections are performed before any ditches containing plumbing, gas or sewer, water line are covered.
- Rough in inspections are performed prior to placement of concrete to inspect any plumbing lines placed in the slab.
- Water line inspections are performed prior to the slab being poured.
- Top out inspections are performed to inspect drains, vents, gas lines and water lines, etc. prior to any wall covering such as sheet rock, plaster, paneling, etc.
- Final inspections are performed to inspect the final installation of gas lines, fixtures and equipment for proper connections and use.

MISCELLANEOUS PERMITS (TAB)

MISCELLANEOUS PERMITS

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MISCELLANEOUS PERMITS

Public Works

TRAFFIC ENGINEERING

Typically, the need for permits issued by the Public Works Department is determined in the plan review process. These permits are primarily concerned with projects done in public right-of-way or on public property. Most of the permits can only be issued to a registered and bonded contractor.

Barricade Permits (Traffic Engineering)

Various types of Barricade Permits are required when an applicant needs to temporarily close a street, sidewalk or use public right of way. A barricade permit is always required when obtaining a Temporary Street Closure permit. The fee for use of the right of way for these purposes is 4 cents per square foot per calendar day.

Right of Way Closure for Special Events (Traffic Engineering)

Requests for closure of a street or right of way for a special event to City Council are initially submitted to the Traffic Engineering Division and must include a dated and signed Street Closure Agreement form. In addition:

- You must contact and submit a site plan to the Fire Marshal's Office with the San Antonio Fire Department at 207-8410 for recommendations on your street closure.
- You must contact and submit a site plan to Officer William Jenkins with the San Antonio Police Department at 207-2257 for recommendations on your street closure.
- City staff will route your request to City Council for approval by Ordinance.
- City Staff will contact you with a date to pay for the requested street closure permit.
- The fee for a temporary street closure for a special event permit is \$45.00 per block per calendar day.

RIGHT OF WAY MANAGEMENT

In an effort to manage the City's rights of way, a Right of Way Ordinance was adopted by the City Council in January 2001, implementation of right of way management policies beginning May 1, 2001. The policies are consistent with the City Council's goals to reduce public inconvenience, improve utility coordination, protect the City's \$3.4 billion investment and guarantee proper street repair. Various components of the policies include the requirement for compliance with new street restoration construction standards and increased construction inspection. Fees are also imposed when applicable. Registration and submittal of maps and excavation plans in electronic format is required. Bonding and insurance for right of way users has been increased to ensure their ability to complete all projects in a safe and timely manner.

Registered and Bonded Contractor

Prior to submitting a permit application to conduct work in the City's rights-of-way or on public property, an applicant must register with Public Works, Risk Management, and Finance and pay a fee. Requirements are primarily concerned with insurance and bonding.

Right of Way Closure for Utility Construction

All requests for right of way closure must be submitted in writing to the Public Works Department Right of Way Management Section. The request must include:

- Purpose of temporary street closure or right of way closure
- Name of street to be closed and the names of cross streets that intersect;
- Dates and times of beginning and ending of closure; make sure you give yourself enough time to prepare and conclude your closure;
- Applicant must provide written notice of street or right of way closure to all residents and businesses that are affected by the closure;
- A person's name, address, and telephone number as a contact for future information;
- Subcontract with and name of the certified barricade specialty company, which will provide and setup barricades;
- Post the permit at the job

Right of Way Permit

A right of way permit is required when using, trenching, boring or performing any other type disturbance on a city street, including above ground aerial work and manhole work.

General Steps to obtain a right of way permit and working in a public right of way

1. Present proof to the Right of Way Management Division that applicant or employee of applicant applying for a right of way permit is a registered and bonded contractor on the qualified registration list with Finance, a long distance carrier (CTP-Certified Telephone Provider) and employee safety certification.
2. Call the Permitting Office, provide address, contractor/plumber, telephone number and contact person.
3. Right of Way Management will set up an account (file) to indicate you are qualified and ready to obtain a permit.
4. Submit application with applicable fees, plans, scope and description of work, location, size of excavation (if applicable) and information required above.
5. Attend a pre-construction meeting at the site with Right of Way staff.
6. Permit will then be issued.
7. Contractor completes the work and requests that completion be certified by Right of Way Management.

If you request pavement restoration (asphalt topping) by the City, a Public works inspector will issue a work order to have the trench topped. Charges are submitted to Development Services for invoicing.

Inspections are required for Right of Way (trench) permits. For backfill and pavement restoration you must call the Right of Way Management Section for an inspection. A license to encroach on public right of way is acquired through the City's Asset Management Department.

DEVELOPMENT SERVICES

Sidewalk/Traffic Lane Closure (Development Engineering Division)

Projects requiring pedestrian protection and/or street closure must coordinate with both plan review in the Development Services Department and traffic (construction services) in the Public Works Department to obtain necessary sidewalk/traffic rental and closure. A permit separate from the general building permit (Barricade Permit) accomplishes this.

Steps to Obtain a Barricade Permit for Sidewalk/Traffic Lane Closure

1. Applicant must submit a plan of the existing site conditions, especially those adjacent to public right-of-way, is required.
2. If the adjacent work on a building exceeds 8 feet in height, applicant meets with a plan examiner to determine the extent of protective measures,
3. Applicant contacts the Traffic Division of the Public Works Department for an on-site inspection.
4. Applicant returns to the plan examiner with an approved traffic form (Application for use of Right of Way). It usually takes 1-2 days to process these permits.
5. Applicant schedules an appointment with the Traffic Division and the Plan Examiner to assure the best service.

Driveway Approach, Curbs & Sidewalks (Development Engineering Division)

The construction of standard curbs and sidewalks is a condition of the granting of a building permit in each of the following cases:

- A new building or structure when curbing is in place or curb lines are established.
- Repair or improvement of an existing building or structure when curbing is in place or curb lines established and most of the repair or improvement amounts to twenty-five (25) percent or more of the assessed evaluation of the building/structure as set forth by the City Tax Roll.
- A new or an additional driveway approach is being proposed.

The following restrictions apply with the construction of curbs, sidewalks, and driveways:

1. New curbs and sidewalks are to be installed according to city specifications.
2. Where new curbs are installed, a pavement tie-in must be made to the existing pavement. This is the responsibility of the project's owner.
3. When laying new curb, curb lines and grades require the City Engineer's approval. The Traffic and Engineering Division of the City's Public Works Department can provide the engineering/surveying analysis (plan and profile sheets) needed to establish curb lines and grades. Coordinate the engineering/surveying services with the surveying section, allowing adequate time for delivery of services. To expedite the development, the owner may contract with a private consultant to furnish the required plan & profile sheets together with cut sheets for submittal review.
4. Where existing, curbs and sidewalks must comply with Texas Accessibility Standards, otherwise the non-conforming curb and/or sidewalk are required to be reconstructed; the public works inspector to make the on-site determination.
5. Where sidewalks are required, the developer must post bond or build the sidewalks. Sidewalks must be built prior to issuance of a Certificate of Occupancy.

A building permit includes construction of sidewalks and driveways but *does not include any utility construction in the right-of-way*. A permit obtained from the Public Works Department Right-of-Way Management Division is required for all work proposed to be done within City Public right-of-way.

Only a contractor registered by the city may file for a permit. When requesting an inspection for drainage, sidewalks, driveways, and Traffic Final inspection, call the City's Construction Engineering Inspection Office at 207-1111 at least 24 hours in advance. It is recommended that the project's general contractor request a preliminary/courtesy inspection prior to commencing construction.

All work performed within public right-of-way and drainage easements must be inspected prior to pouring concrete and/or back/filling any structure. A Final Inspection by the Right of Way Management Section is required as a prerequisite to releasing the Building's Certificate of Occupancy. During the final inspection, the Construction Engineering Inspector will verify that all corrections requested in prior inspections have been completed. Additionally, the inspector will verify that parking and the handicapped accessibility facilities within the parking lot have been provided as per the approved set of plans.

Fire Prevention

Applications for certain fire prevention permits should be made to the Fire Marshal's office, 1901 South Alamo, phone number 207-8410. Requirements and fees for fire prevention permits and licenses are shown on the fee schedules below. *A completed application is required for all permits.*

Requirements for the various permits include site approval, system testing, on-site testing, on-site inspection, plans and site plans. These requirements do not apply to all fire prevention permits. The matrix titled Requirements and Fee Schedule for Fire Prevention Permits and Licenses indicates the requirements and fees for each type of permit.

- Application – The Fire Marshal will need the address and name of the applicant as well as the location of the land, if applicable.
- Site Approval – The Fire Marshal must approve the site for explosive storage, burning, aboveground temporary flammable liquid storage, hazardous chemical tanks, explosive site utilities, explosive site excavation, and explosive sites. The Fire Marshall must also approve the site swimming pools, septic systems, float/food booths, bonfires, outdoor fireworks displays, waste oil tanks, all aboveground storage tanks, underground storage tank installation, and indoor and outdoor pyrotechnics.
- System Testing On-site – The Fire Marshall's office must test fixed pipe systems, new sprinkler systems, sprinkler modifications, underground fire lines, standpipes, hydrants, new fire alarm systems, and fire alarm modifications.
- On-site Testing – The Fire Marshall's office must test for flammable liquid leaks, fuel line leaks, inspect spray paint booths, do a smoke control test, test the gaseous suspension system, inspect all aboveground storage tanks, and underground storage tank installation.
- Test for License – If you are an explosive handler, doing quarry blasting, storing explosives or using indoor or outdoor pyrotechnics, you must take a licensing test at the Fire Marshall's office.
- On-site Inspection – The Fire Marshall's office must inspect LPG tanks; aboveground temporary flammable liquid storage, hazardous chemical tanks, as well as inspect all of the items that are tested on-site.
- Plans/Site Plans – You must submit your *plans* for fixed pipe systems, new sprinkler systems, major sprinkler systems not involving heads, sprinkler modifications, underground fire lines, standpipes, hydrants, new alarm systems, major alarm system modifications, fire alarm remodels, spray paint booths, and gaseous suspension systems to the Fire Marshall's office. You must submit your *site plans* for the location of waste oil tanks, all above ground storage tanks, and underground storage tanks to the Fire Marshall's office.

Amusement Parks

Annual permits and inspections are required by the State for amusement parks. An additional permit fee is required by the Fire Department for amusement park storage.

Burning And Bonfire

Application, location and site approval are required for burning and bonfire sites.

Explosives & Fireworks

License examinations and fees are required for handling explosives and fireworks. Site approval is required for explosive storage, explosive sites, outdoor fireworks display and pyrotechnics.

Flammables

On-site inspection is required for LPG tank, aboveground temporary flammable liquid storage, waste oil tanks; flammable liquids leak tracing, fuel lines, above- and underground storage tanks.

Section 11-16. FEES FOR CERTAIN PERMITS AND SERVICES.

A. The following fees are hereby established for obtaining certain permits from the Fire Prevention Division of the Fire Department:

1. Blaster permit.....\$150.00
2. Explosive handler's permit, per year100.00
3. Quarry blasting permit, per year200.00
4. Explosive storage permit, per year.....200.00
5. Duplicate permits25.00
6. Burning permits125.00
7. LPG tank permits per tank.100.00
8. Aboveground temporary flammable liquid storage tank permits per 90 days100.00
9. Hazardous chemical tank permit.....100.00
10. Fixed pipe extinguishing systems per system 100.00
11. Explosive site permits:
 - a. Utilities per 90 days200.00
 - b. Excavation per 30 days100.00
 - c. Swimming pools and septic per 30 days 50.00
 - d. Pyrotechnics per event50.00/max.200.00
12. Sprinkler Systems
 - a. Sprinkler system permit\$125.00---\$2,000.00

A fee shall be assessed for reviewing plans, inspecting and hydrostatic testing of sprinkler systems at a minimum of one hundred twenty-five dollars (\$125.00) for any system with one (1) to ten (10) heads, one hundred fifty dollars (\$150.00) for any system with eleven (11) to twenty-five (25) heads, two hundred dollars (\$200.00) for any system with twenty-six (26) to two hundred (200) heads, and a maximum of two thousand (\$2,000.00) based on seventy five cents (\$0.75) cents per head for any system over two hundred (200) heads. For each additional floor a fee of forty (\$40.00) dollars will be assessed.

- b. Permit fee for major sprinkler system related work not involving sprinkler head modification\$100.00

The fire chief shall make the final determination of whether a system modification constitutes major sprinkler system related work; however the following modifications shall always constitute major work: installation of a fire pump, underground fire main, riser, supply main, cross main or any other change that could significantly affect the hydraulic characteristics of the system.

c. Sprinkler system remodel permit.....\$12.50--\$2,000.00

If a modification of an existing sprinkler system is planned in a building (or an area of a building), then a sprinkler system remodel permit shall be required prior to start of construction and a fee assessed according to the following schedule: twelve dollars and fifty cents (\$12.50) per head for the first nine (9) sprinkler head modifications; one hundred twenty five dollars (\$125.00) for systems requiring ten (10) to twenty-five (25) sprinkler head modifications, one hundred and fifty dollars (\$150.00) for systems requiring twenty-six (26) to two hundred (200) sprinkler head modifications, or seventy-five cents (\$0.75) per sprinkler head modification for systems with more than two hundred (200) modifications, with a maximum fee of two thousand dollars (\$2,000.00). A fee of twenty dollars (\$20.00) will be assessed for each additional floor.

d. Underground fire line.....\$200.00

e. Standpipes.....\$200.00

Each additional.....\$125.00

f. Hydrants.....\$200.00

Each additional.....\$125.00

13. Fire Alarm Systems:

a. Fire alarm system permit\$125.00--\$2,000.00

A fee shall be assessed for reviewing plans, inspecting and testing of fire alarm systems at a minimum of one hundred twenty five dollars (\$125.00) for any system with one (1) to ten (10) initiating and/or signaling devices, one hundred and fifty dollars (\$150.00) for any system with eleven (11) to twenty-five (25) devices, two hundred dollars (\$200.00) for any system having twenty-six (26) to two hundred (200) devices to a maximum of two thousand dollars (\$2,000.00) for any system over two hundred (200) devices. A fee of forty dollars (\$40.00) will be assessed for each additional floor.

Permit fee for major fire alarm system work not involving modification of initiating and/or signaling devices is one hundred dollars (\$100.00).

The fire chief shall make the final determination of whether a system modification constitutes major fire alarm system related work; however the following modifications shall always constitute major work: installation of a fire alarm panel, or any other significant modification to the system.

b. Fire alarm remodel permit fee.....\$12.50--\$2,000.00

Fire alarm system remodel permit fee ranges from twelve dollars and fifty cents (\$12.50) to two thousand dollars (\$2,000.00). If a modification of an existing fire alarm system is planned in a building (or an area of a building), then a fire alarm system remodel permit shall be required prior to start of construction and a fee assessed according to the following schedule:

Twelve dollars and fifty cents (\$12.50) per initiating and/or signaling device for the first nine (9) initiating and/or signaling device modifications; or

One hundred twenty-five dollars (\$125.00) for systems requiring ten (10) to twenty-five (25) initiating and/or signaling device modifications; or

One hundred and fifty dollars (\$150.00) for systems requiring twenty-six (26) to two hundred (200) initiating and/or signaling device modifications; or

Seventy-five cents (\$0.75) per initiating and/or signaling device modification for systems with more than two hundred (200) modifications, with a maximum fee of two thousand dollars (\$2,000.00)

c. Fire Alarm Panel Replacement permit.....\$100.00--\$2000

The initial permit fee shall remain at one hundred dollars (\$100.00) and will include the first nine (9) initiating devices, if applicable.

The number of initiating devices that exceed nine (9) shall be calculated at seventy-five cents (\$0.75) per device.

An additional cost of twenty dollars (\$20.00) per additional floor will also be included for each floor (beyond the floor of work) affected by the panel replacement.

The fire alarm submittal shall also include FACP location, a riser that shows typical devices, and shall be stamped or sealed by the Alarm Planning Superintendent or professional engineer.

14. Float and food booth permit per day15.00
15. Bonfire permit per event400.00
16. Fireworks display permit per event.....450.00
17. Amusement parks:
 - a. Annual Fireworks permit200.00
 - b. Reinspection fee100.00
19. Amusement park fireworks annual storage permit100.00

- B. The fee for tracing flammable liquid leaks to the source by the Fire Prevention Division of the Fire Department is hereby established at two hundred dollars (\$200.00) per day.
- C. Reinspection fee. A reinspection fee of one hundred dollars (\$100.00) shall be assessed for each inspection or reinspection when work for which an inspection or reinspection is requested is not approved. A reinspection fee may also be assessed when the permit is not properly posted on the work site, when the approved plans are not readily available to the inspector, when access is not provided on the date for which inspection is requested or for noncompliance with approved plans, requiring reinspection and approval of the fire official. All reinspection fees shall be paid before final release of public utilities and issuance of the certificate of occupancy.
- D. A fee of two hundred dollars (\$200.00) for testing building smoke control systems required for issuance of a building permit is hereby established, and for each subsequent test, a fee is established at thirty dollars (\$30.00) per test.
- E. A fee of two hundred and fifty (\$250.00) for testing and approving installed fire protection systems, such as halon, CO2 and standpipes, is hereby established.
- F. Fees for state required annual inspections:
 - 1. State required annual inspections of any day care facilities, foster homes, half-way houses, group care homes or similar short-term placement occupancies that require certification or approval by the fire marshal's office shall be assessed a fee of thirty dollars (\$30.00) which shall be remitted at the fire marshal's office prior to the required inspection.
 - 2. a. State required annual inspection of hospitals or other similar occupancies that require certification or approval by the fire marshal's office shall be assessed a minimum fee of two hundred dollars (\$200.00) and not more than eight hundred dollars (\$800.00). Fees are assessed at one dollar (\$1.00) per bed for each facility which shall be remitted at the fire marshal's office prior to the required inspection.

b. State required annual inspection of nursing homes or other similar occupancies that require certification or approval by the fire marshal's office shall be assessed a minimum fee of two hundred dollars (\$200.00) and not more than eight hundred dollars. Fees are assessed at three dollars (\$3.00) per bed for each facility, which shall be remitted at the fire marshal's office prior to the required inspection.

3. State or private/public required annual inspections of laboratories, clinics and bonded warehouses or other similar occupancies that require certification or approval by the fire marshal's office shall be assessed a fee of one hundred dollars (\$100.00), which shall be remitted at the fire marshal's office prior to the required inspection.
- G. Aboveground storage tanks fee. Permit fees of three hundred thirty dollars (\$330.00) for tanks of all sizes are hereby established and shall be assessed for the construction of any permanent aboveground storage tank used for the storage of flammable liquids, combustible liquids or hazardous materials, and shall be paid prior to commencement of any construction. Plans must be submitted for approval prior to issuance of a permit.
- H. Underground storage tank fee. A permit fee of two hundred twenty five dollars (\$225.00) per underground storage tank is hereby established and shall be assessed for the inspection of the installation, interior lining, filling with inert material or removal of any underground storage tank used for the storage of flammable liquids, combustible liquids or hazardous materials. A permit shall be obtained prior to commencement of any activity stated above.
- I. Retest and rescheduling fee:
 1. Retest fee.....125.00
If a retest of a fire protection system or portion thereof is necessary due to failure of a previous test, then a retest fee of one hundred twenty five dollars (\$125.00) is hereby established and shall be paid at the fire marshal's office prior to retesting.
 2. Rescheduling fee.....125.00
If a test or a retest of any fire protection system is canceled within four (4) hours of the scheduled test, a rescheduling fee of one hundred twenty five dollars (\$125.00) shall be paid prior to rescheduling of the required test.
- J. Service fee for use of 3M ATC fire-fighting foam:
 1. The recipients of emergency fire-fighting service which utilizes 3M ATC fire-fighting foam, shall pay a "fire-fighting foam fee" to the City of San Antonio for its use of said agent, in an amount sufficient to restore the amount of foam for the emergency.
 2. For purposes of this subsection, the amount of the fee to be paid shall be no greater than the low, qualified bid received by the city in response to a request made for the purchase of 3M ATC fire-fighting foam following the emergency in question.

3. The recipient of emergency service utilizing the 3M ATC foam shall have thirty (30) days from the date of receiving the fee bill to pay said fee.
 4. Failure to pay the fee within these thirty (30) days may result in the invalidation of the hazardous materials handling permit for the facility where the fire occurred.
- K. A fee of four hundred dollars (\$400.00) shall be assessed to any individual that a fire unit of the City of San Antonio Fire Department rescues or attempts to rescue at a low-water crossing.
- L. A special fire records search fee of five dollars (\$5.00) per request is hereby established. Additional copies may be obtained for fifty-five cents (\$0.55) per copy. This special fire records search fee shall apply for fire record searches when individuals do not know the incident number and searches are required to be made to find the incident in question.
- M. An environmental research fee of fifty (\$50.00) per address plus the cost of off-site research chargeable at the pay rate of the employee conducting the search is hereby established. This environmental research fee shall apply for records searches relating to hazardous incidents and hazardous materials storage at a specific location where fire department staff must conduct research to find the requested information.
- N. A filing fee of \$155.00 is required to be submitted in order to file an appeal with the Board of Appeals.
- O. If investigation by a fire inspector reveals that work has begun without application for a permit such fees will be doubled when paperwork is properly submitted.

Fire Alarm Systems

Submittal requirements are as follow:

- Application with the location/address of the installation site.
- Plans should be provided indicating the locations of alarm devices.
- Meet basic technical requirements, including Voltage Drop calculations & battery calculations. All information must be printed legibly in ink on the application, drawings and re-submittals.
- Indicate the number of pages of plans submitted, including riser page, system information page, number of floors, but excluding the number of equipment specification pages.

Fire Alarm System Modification submittals must include a detailed summary stating specific modifications. If adding to existing equipment, provide relevant information on the existing FACP, loads of NACs and Initiating circuit(s), compatibility of equipment. Specify on the drawings, which equipment is existing and which is new. *Re-submittals* include a detailed summary responding to deficiencies.

If “Proprietary Technicians” are used for routine maintenance, provide proper records indicating this technician has been properly trained for fire alarm systems. Prior to final approval of the system, it must be inspected and tested.

Sprinkler Systems

Permits for commercial and residential sprinkler systems, modifications, standpipes and fire pumps are issued by the Fire Marshall’s office after review by Development Services. Submittal requirements are as follow:

- Application with the location/address of the installation site.
- Working plans should be provided indicating locations of sprinkler heads and distribution lines.
- Administrative requirements, including NFPA required information, SCR and RME Licenses (must be on file), RME stamp and signature on all pages.
- Hydraulic calculation forms

Prior to final approval of the system, it must be inspected and tested.

State Required Inspections

An application and on-site inspection are required for all state required inspections which include daycare centers, hospitals, nursing homes, laboratories, clinics, massage therapy and physical therapy establishments and other similar occupancies and bonded warehouses.

Storage Tanks

An *application with location* and *site approval* are required for explosive storage, aboveground temporary flammable liquid storage, waste oil tanks, aboveground storage tanks, encasement storage and underground storage tanks. *Site plans* are required for waste oil tanks, aboveground storage tanks and underground. *On-site inspection* is required for LPG tank, aboveground temporary flammable liquid storage, hazardous chemical storage tank, waste oil tanks, aboveground and underground storage tanks. See submittal requirements and fees for these fire prevention permits on the matrix below.

Miscellaneous Fire Protection Permits And Fees

Plans are required for spray paint booths. On-site testing and inspection is required for spray paint booths and smoke control. Site approval is required for floats and food booths. On-site inspection is required for swimming pools and septic systems when blasting is involved.

Special Permits

Water/Sewer Connection Permit (SAWS)

Water/Sewer Connection Permits are handled by the San Antonio Water System, Mains and Services Office, 704-7070. Lines must be installed by licensed and bonded independent contractors

Temporary (Electrical) Service Permit

A temporary service permit can be issued for 30 days for cleaning purposes only. A 180-day permit can be issued for leasing purposes only. An inspection of work performed is required by the Development Services Department.

Operational Permits

Alcohol Sales

Application for an alcoholic beverage license begins with the Texas Alcoholic Beverage Commission. In Phase I, the application must be certified by the following:
State Comptroller's SA Offices: NW=616-0067; NE=646-0399; South= 924-6434
City Secretary Office - go to the One Stop, or call 207-5500
San Antonio Metropolitan Health District (if located in an unincorporated area) 207-8853
Publisher's Affidavit certifying that notice of intention of applying for a permit has been published in two consecutive issues of a qualified newspaper.

In Phase II, the applicant proceeds with the following steps in order:

County Clerk's Office	Bexar County Courthouse 100 Dolorosa, Suite 108	335-2223
County Judge	Bexar County Courthouse 100 Dolorosa, Suite 101	335-2555
County Tax Office	233 N. Pecos, La Trinidad Vista Verde Bldg.	335-6524
Texas Alcoholic Beverage Commission (TABC)	4203 Woodcock, Suite 120	736-4466

An applicant for a permit for a location not previously licensed for the on-premises consumption of alcoholic beverages must prominently post an outdoor sign at the location within 60 days of the date the application is filed stating that alcoholic beverages are intended to be served on the premises, the type of permit, and the name and business address of the applicant.

Expiration of License. A secondary license that requires the holder to first obtain another license, including late hours license or temporary license, expires on the same date the basic or primary license expires. The commission may not prorate or refund any part of the fee for the secondary license.

Food Preparation

If you have applied for a Certificate of Occupancy for a food establishment, you need to call for Health Inspections directly at 207-8853. A health inspector will conduct the inspection using a standard Health Department checklist. The checklist will identify deficiencies that need to be corrected. If the inspector disapproves the inspection, you must correct the deficiencies before obtaining approval. Once you have made the necessary corrections you may call for re-inspection.

A Health Department Inspector must inspect and approve the premises prior to issuance of a food license. *Your C of O will not be issued until the Health Department has cleared your establishment.*

A proposed food establishment must meet all State Health Codes and Laws, including having approved water and sewerage facilities. The establishment must also meet requirements of the Fire Marshall's office. Documentation of compliance with applicable codes and laws for the following items is required prior to approval of any new establishment, a change of ownership of an existing establishment, beer license issuance, or when it is determined that your current on-site sewer or water system is not an approved facility or has malfunctioned.

A valid Certificate of Occupancy must be presented at the time the food license is to be purchased or the license cannot be issued.

Garage Sale/Yard Sale

A permit for a garage sale or yard sale may be obtained at the One-Stop Counter or other permit offices of the Development Services Department for a \$15.00 fee. They may also be obtained by mail or from selected HEB grocery stores for a \$16.00 fee. Call the One-Stop Counter for locations and telephone numbers of City permitting offices.

Single (Burglar) Alarm System

To obtain a permit for a single burglar alarm system, submit an application to the City of San Antonio Police Department at any of the substations.

Other Permits

Fences

Construction of a fence within the City requires a fence permit. In order to obtain a permit, an applicant must submit a site plan indicating the location and height of the proposed fence. Once the site plan has been reviewed to insure compliance with the Unified Development Code, the permit can be issued. The fee for a residential permit is \$20.00

A commercial fence permit also requires submittal of a site plan indicating the location and height of the proposed fence. The fee for a commercial fence permit is based on the estimated cost of the fence. If the fence is not in compliance with the height and location requirements, then the applicant is directed to the staff person with the Board of Adjustment at which time the applicant is given his appeal options. If the fence does not meet the height requirements for residential fencing the applicant will be directed to the staff person with the Board of Adjustment. At this time the applicant will be given his appeal options.

Parking Lots

A permit for a new parking lot or expansion or repair of a lot that is more than 25% of the existing lot is required. A site plan must be submitted for tree, accessibility and landscape review and drainage review.

Commercial Swimmin Pools

A swimming pool permit requires an application and a site plan for review of location with respect to utility easements and setbacks. Additionally, pools and spas must comply with the San Antonio Pool and Spa Standards adopted by the San Antonio City Council.

MOVE OR DEMOLISH A STRUCTURE (TAB)

MOVE OR DEMOLISH A STRUCTURE

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MOVE OR DEMOLISH A STRUCTURE

Move a Structure

Steps to Move Permit Approval

1. Request a Special Exception from the Board of Adjustment if moving a structure within the city or from outside the city into the city.
2. Ensure that the structure to be moved is comparable to homes in the area to be move into.

The moving of a structure within the city limits of San Antonio requires approval by the Board of Adjustment. The approval of the Historic and Design Review Commission is also required if the building is a Local Landmark or is to be moved out of, into, or within a Historic District. This Special Exception approval is required when relocating a structure either within the city or from outside the city into the city. The Board of Adjustment is required to pass on this Special Exception provided the relocation project meets five specific findings that are designed to protect the neighborhood of the destination site. These five “findings of fact” are designed to insure that the structure being proposed for relocation blends in with the existing homes in the area. Each house must be comparable in size, in quality of construction, and in a comparable condition to the average of other homes in the area. Once approval is given, the mover must apply for a move permit. The cost of the hearing before the Board of Adjustment is \$300.00. If the structure is located outside the city limits, there will be an additional \$50.00 fee for an “out of city inspection.”

Demolish a Structure

Steps to Demolition Permit Approval

1. Submit application for demolition for approval by Historic Preservation Division, Health Department, City Public Service and Environmental Review to obtain a plan number.
2. Ensure that demolition license is current with approval from Risk Management verifying that insurance and bond are current.
3. Obtain a report from a registered professional engineer attesting to the condition of the structure.
4. Meet other submittal requirements.

Demolition Permit

No demolition may occur inside the City of San Antonio without a permit from the City. Demolition permits can be issued to owners of single story structures and licensed demolition contractors. Demolition permits can also be issued to general contractors other than demolition contractors that obtain a building permit to rebuild the structure. Owners of single story structures who cannot personally secure a permit must provide a notarized letter authorizing the bearer to obtain a

demolition permit to be issued in the owner's name and the letter shall further state that the owner will assume all responsibilities.

Plan Submittal Request

Before you can obtain a Demolition Permit, you must first obtain a plan number at the One Stop Counter. To do this, submit an application for a Demolition Permit with the City. It will be routed to the following for approvals:

1. Historic Preservation Division of the Planning Department for determination of significance of the structure.
(Submit legal description and 4 photographs of structure to 1901 South Alamo – 207-7869)
2. Health Department for debris disposal (332 W. Commerce – 207-8853)
3. City Public Service for site review prior to a service disconnection (146 Navarro – 353-3333)
4. Environmental Review submit site plan (1901 South Alamo – 207-8265)

Other Submittal Requirements

5. Approval from Risk Management that insurance and bond are current. Demolition license must be current.
6. Report from registered professional engineer attesting to the condition of the framing, walls, floors, etc.
7. Site plans drawn to scale that indicate structure(s) to be demolished with dimensions showing distance to Property lines. Include dimensions showing distance to sidewalks, pavement and curbs where they abut Property lines.
8. Complete plan and schedule detailing method of demolition from the demolition contractor.
9. Demolition contractor to submit a notarized letter from the owner to demolish structure.
10. Contract proposals on company letterhead or San Antonio Development agency notices to proceed will also be accepted.
11. Inspection approval of barricades, fencing or other pedestrian protection will be required, when applicable, before the demolition permit is issued.

Partial Demolition (Interior)

No FAS device or sprinkler device shall be removed without first obtaining written permission from the Fire Marshal.

OCCUPY A BUILDING OR SPACE (TAB)

OCCUPY A BUILDING OR SPACE

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OCCUPY A BUILDING OR SPACE

Certificates of Occupancy

A Certificate of Occupancy is required for all uses, including nonconforming uses as required by the UDC, with the exception of single family dwellings, registered family homes and group day-care homes. The Director of Development Services maintains a record of all Certificates of Occupancy.

Steps to Certificate of Occupancy Issuance

1. With your application for Certificate of Occupancy, include the correct address and suite number or building number, name of the business owner and name of the business and post the address in a conspicuous location.
2. Make the proposed place of business available for inspections between the hours of 7:45 am and 4:30 pm.
3. Correct all disapprovals prior to calling for reinsertion.
4. Post approval status envelop in conspicuous place for inspection slips.
5. Pay reinspection fees upon completion and approval of all inspections and a valid certificate of occupancy will be issued.

Certificate Of Occupancy

An application for a certificate of occupancy may be made at the One-Stop Counter on the 1st floor, Development and Business Services Center, 1901 South Alamo. Information required is the correct address and suite # or building number if applicable, the owner of the business and the name of the business (Doing Business As or DBA).

Chapter 1, 110.1 of the 2003 IBC prohibits any commercial structure or building from being used or occupied until a Certificate of Occupancy has been issued.

1. Upon application for a certificate of occupancy, ensure that the address is posted in a conspicuous manner so that the number may be easily seen from the opposite side of the street.
2. Please note: depending on your type of business, up to eight inspectors may inspect your premises. Inspections to be performed will be building, electrical, sign, mechanical, plumbing, fire and Texas Accessibility Standards. Only when applicable: Health and Edwards Recharge (SAWS) may also inspect. Change of use may be treated as new construction and require all inspections to include traffic, tree, and landscape. If inspections are not made on the appointed day, applicant will be contacted by telephone by the applicable inspector(s) to reschedule.
3. Please ensure that the proposed place of business is open for inspections between the hours of 7:45 am – 4:30 pm. A reinspection fee of \$51.50 shall be charged if inspectors are not able to make scheduled inspections due to the building being locked.
4. All disapprovals must be corrected. As each type of correction is made, call for re-inspections at 207-1111. For Fire inspections, call 207-8410. However, you must ensure that the correction

has been completed prior to calling for a reinspection. If the required correction has not been completed, a \$50.00 re-inspection fee may be charged.

Licensed and bonded contractors with applicable permits must perform all electrical, mechanical and plumbing work, and erection of signs or changes to an existing sign face.

5. An envelope will be provided to you and it is to be posted in a “conspicuous place” so that inspectors can indicate approval/disapproval status. Each inspector will leave a copy of his/her inspection slip in the envelope.

Upon completion and approval of all inspections and payment of reinspection fees, if any, a valid certificate of occupancy shall be issued. City Public Service will be notified to release the applicable utilities.

Be advised that if the gas meter has been disconnected for a period of 90 days or more, City Public Service shall require that a gas test be performed by a licensed and bonded plumber. A permit and an approved inspection are required prior to the release of the gas meter.

Note: applications for certificates of occupancy shall be cancelled six months from the date of issuance if corrections on disapprovals have not been completed and approved.

For information on certificates of occupancy contact the call center at 207-1111. Hours of operation are Monday-Friday, 7:45am – 4:30 pm.

Automatic Certificate of Occupancy

On new construction, automatic certificates of occupancy are issued when

- (1) All applicable permits are secured i.e. building, electrical, mechanical, plumbing and sign
- (2) The use of the building is identified in the plans and permits
- (3) All inspections have been performed and approved

Businesses that will serve alcoholic beverages will be issued an automatic certificate of occupancy only if such was stated when the original plans was submitted.

Businesses that may be considered as sexually oriented businesses, but are not or will not be sexually oriented businesses will require a notarized affidavit to the fact. Examples of such businesses include: video stores, bookstores, art galleries, massage parlors and bars/lounges.

Warehouses shall be issued an automatic certificate of occupancy only when the category of warehouse is identified on the building permit, as some uses may have specific fire rating requirements. If what is being stored in the warehouse is not identified, then a certificate of occupancy must be applied for.

Remodeling and completions on interior lease space shall be issued automatic certificates of occupancy only when

- (1) Electrical, plumbing and mechanical permits are secured in conjunction with the building permit
- (2) The use of the building is identified
- (3) All inspections have been performed and approved (the shell building must have all pertinent approved inspections)

On shell buildings a letter of certification shall be issued, upon request, when all permits have been issued and all applicable inspections have been approved.

Prorated Certificate of Occupancy

On vacant buildings with the use identified in the plans and building permit and one other trade permit i.e. electrical, mechanical or plumbing was secured, the fee of \$171.60 will be prorated. Occupant/applicant will pay a fee of \$40.00 for each inspection that is not covered by a permit. When related inspections are approved, a certificate will be issued.

Businesses opening in mall walkways require building, electrical, and fire inspections. This service would be provided at the cost of \$80.00. Kiosks selling food items that are baked, fried or grilled require additional inspections that would be mechanical and health. This service would be provided at a cost of \$120.00.

Temporary Certificate of Occupancy

A temporary certificate of occupancy may be issued when all necessary permits have been obtained and all inspections preceding the final inspection are approved. All pending development and re-inspection fees must be paid prior to the issuance of the temporary certificate.

- (1) On those inspections that are not ready for final inspection, for whatever reason, it is the responsibility of the contractor(s) to request from the appropriate trade inspector an approval for a temporary certificate of occupancy. The inspector must indicate the number of days approved. If the number of days allowed by each inspector varies, then the lesser shall apply.
- (2) The applicant shall submit a notarized letter of intent on company letterhead once the temporary certificate is approved. This letter shall be addressed to the Development Services Department requesting a temporary certificate of occupancy for the number of days approved and addressing the items that are needed to secure a permanent certificate.
- (3) When the aforementioned are met, the applicant will submit the application and the notarized letter to Central Records. The supervisor will review the letter and if approved, the applicant will then proceed to the permit writers, pay the fee of \$500.00 and then pick up the temporary certificate of occupancy from Central Records.

The temporary certificate of occupancy will be put on a suspense file until the permanent certificate is issued or it expires, at which time the contractor is required to apply for an extension.

A temporary certificate of occupancy may also be issued when only a portion of a building is ready for occupancy i.e. floor, wing, section, phase, etc. If sidewalks, approaches or drainage are not complete, the Construction Engineering Inspections may issue a temporary certificate of occupancy for up to six months. The procedures that pertain to the temporary certificate of occupancy shall apply.

Temporary Certificate of Occupancy Extension

If the temporary certificate of occupancy expires and inspections are still pending, the applicant must request an extension:

- (1) The applicant is required to obtain approvals for the extension from the inspector(s) for the pending inspections and the number of days approved.
- (2) A notarized letter is required requesting the extension of the temporary certificate of occupancy and a fee of \$50.00 will apply
- (3) The letter will be submitted to Central Records and if approved another temporary certificate of occupancy shall be issued with the new expiration date.

Remember, this information is general in nature, there may be other requirements applicable to your individual project.

Continuing Obligations

Many permits for construction and operation of businesses require land owners to be responsible for maintenance and upkeep beyond the move-in or initial use date following final inspection or Certificate of Occupancy. These “Continuing Obligations” are described below.

Landscaping

General maintenance of landscaping set forth in section 35-511 (d) states that “required plants must be maintained in a healthy condition at all times. The land owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that is compatible with the approved landscape plans within 90 days after notification by the City.”

Tree Preservation

Tree preservation requires the continued maintenance beyond issuance of the Certificate of Occupancy. Protected or mitigated trees must be maintained in a healthy condition at all times. The land owner is responsible for irrigating, fertilizing, pruning and other maintenance of all trees as needed. Mitigation trees that die within 12 months of final inspection are subject to the mitigation requirements as set forth in section 35-523

Special Use Permit (SUP) (Zoning)

As stated in Section 35-423 of the City of San Antonio Unified Development Code, the Special Use Permit (SUP) stays with the land until the Zoning is changed or the use granted has been discontinued on the land for twelve months. If the City Council imposes any conditions on the SUP, it is the land owner’s responsibility to satisfy the conditions for the duration of the SUP. Violation of any condition of the SUP may be resolved by the Board of Adjustment and through judicial and/or administrative action by the City.

Drainage

Drawings and other material or criteria submitted to the Director of Public Works in applying for a drainage permit must be included with the permit, upon approval and issuance of the permit. In addition, all standards and requirements of this division and all factors listed in this division are relevant in approving or denying the permit and the terms of the permit. In addition to named materials that are required to be submitted when applying for such a permit, the Director of Public

Works may require additional submission in order to verify whether such a permit should be issued. The conditions and terms shall constitute a continuing obligation upon all future occupants or users of the land to the extent they are applicable after development has been completed.

Fire Protection Issues

1. Continued provision and maintenance of fire lanes
2. Change of use, operations or processes may be subject to further code review and requirements (2003 IFC Section 102.3)
3. Revisions to approved plans must be submitted for review
4. Maintenance agreement for annual inspections for fire protection systems (see 1997 UFC Article 10)
5. Change of ownership – Each new owner or tenant is required to obtain a new Certificate of Occupancy from the Development Services Department.
6. Change of use, operation or process– If the existing tenant or a new tenant changes the use, operation or process for which the building was originally approved, it may be subject to additional code requirements for the code currently being enforced.

Extended Warranty Bond (35-501(f))

All subdivisions requiring streets and drainage improvements within the City of San Antonio and the Extraterritorial Jurisdiction are subject to a one (1) year maintenance bond.

Prior to acceptance of subdivision improvements, the developer must provide the City with an extended warranty bond, issued by a corporate surety company licensed to transact business in the State of Texas, to secure maintenance and repair of subdivision for the period ending at least twelve (12) months subsequent to acceptance of the subdivision improvements by the City.

Right-of-Way Use

Work conducted in any public right-of-way within the City of San Antonio is a continuing obligation of the contractor. For additional information, see the Right of Way Management Section of the Public Works Department.

Texas Accessibility Standards Compliance (35-501(e))

Continued provision of clear path-of-travel and maintenance of other accessibility components, e.g. door pressures, grab bars, etc. is required.

Certificates of Occupancy

This certificate must be prominently displayed on a continuous basis in a conspicuous location within the business.

Occupant Load Sign

If required, this sign must be prominently displayed on a continuous basis in a conspicuous location within the business.

APPEAL A DECISION OR ACTION (TAB)

APPEAL A DECISION OR ACTION

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APPEAL A DECISION OR ACTION

The purpose of this chapter is to describe the process for appeal of an official decision or an administrative action. Appeal of an ordinance provision is not covered in this section. Appeal of an administrative decision or interpretation must apply to a gray area of the ordinance.

Zoning Board of Adjustment (35-481)

The Zoning Board of Adjustment (called the Board of Adjustment) is a quasi-judicial body that is made up of eleven members (and six alternates) created by state law with specific powers under Chapter 211.009 of the Local Government code. The Board's purpose is:

- To hear and decide appeals to the Unified Development Code and Sign Code.
- To hear and decide special exceptions to the terms of the Zoning ordinance.
- To hear and decide alleged errors in an order, requirement or determination made by an administrative official.

Steps to Appeal Submittal

1. Submit an application to the Director for the specific appeal being requested along with the required plans and documents and pay the filing fee Staff will advise applicant of the procedure and burden of proof that will be required of them.
2. Completeness Review

Processing of Board Cases

- Once application is accepted, the alleged violation is verified.
- Mailing list is developed for legal notification of property owners within 200'.
- Notification is sent at least 10 days prior to the hearing.
- Staff creates maps and a video of the land, then a staff recommendation is drafted.

Information to the Public

- Staff can notify an interested citizen of a Board of Adjustment case in their neighborhood.
- All Case files are public record and may be viewed by the public during normal business hours.
- Neighborhood groups are encouraged to take part in these decisions at the public hearings

Neighborhood Involvement

- Neighborhoods can insure their involvement in the process by being listed in the Directory of Neighborhood Associations and registering with the Planning Department.
- Contact the Neighborhood Resource Center of San Antonio, which is sent an agenda.
- Contact the Board of Adjustment staff for information.

Zoning Variance (35-482)

1. Submit an application to the Director for the specific appeal being requested along with the required plans and documents and pay the filing fee Staff will advise applicant of the procedure and burden of proof that will be required of them.
2. Completeness Review (2 working days)
3. Director will submit to the Board of Adjustment and Schedule a public hearing.

Sign Appeal Process

The Board of Adjustment may hear appeals, for on premise signs only, for variance and interpretations to Article IX of Chapter 28 of the City Code and make recommendations to the Director of Development Services in accordance with Section 28-246. However, no variance shall be granted that would eliminate the distinctions between sign types and sizes by zoning district, street classification or like areas of legislative prerogative.

Appeal for a Variance to Board of Adjustment

Section 28-247. Variance and Appeals Procedures.

The Board may recommend that a variance be granted from the application of this article if it finds that:

1. The variance is necessary because strict enforcement of this article prohibits any reasonable opportunity to provide adequate signs on the site, considering the unique features of a site such as its dimensions, landscaping or topography; or
2. A denial of the variance would probably cause a cessation of legitimate, long-standing active commercial use of this land; and
3. After seeking one or more of the findings set forth in subparagraphs (1) or (2), the board finds that:
 - (a) Granting the variance does not provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated
 - (b) Granting the variance will not have a substantially adverse impact upon neighboring properties
 - (c) Granting the variance will not substantially conflict with the stated purposes of this article.

The recommendation to modify the interpretation of the Chief Electrical Inspector or the recommendation to grant a variance shall require a 3/4-majority vote in favor of the appellant by the appointed members of the Board. In no event shall the Board conduct business with less than nine appointed members present.

Appeal to City Council

An interested party may appeal the decision of the Director to grant or deny a variance request to City Council. An appeal to the City Council shall be initiated by filing a letter and \$300.00 fee with the City Clerk within five working days after a decision of the Director indicating that the applicant seeks to appeal the decision of the Director to the City Council. Appellants, other than the applicant, must own or lease land within 1,000 feet of the affected land.

Submittal Requirements

Submit a site plan drawn to scale, showing the location of the sign(s), existing or proposed buildings, required setbacks, spacing and any easements that may have a bearing on this appeal. A check in the amount of \$300.00, made payable to the City of San Antonio, must be submitted with the appeal application to the Department of Development Services, Board of Adjustment office.

Variance Provisions for Signs

City Council may determine that a variance is necessary because strict enforcement of this article prohibits any reasonable opportunity to provide adequate signs on the site, considering the unique features of the site such as its dimensions, landscaping, or topography. The City Council shall consider all the circumstances of the variance request, including the factors outlined in the variance provision, and make its determination by simple majority vote.

Planning Commission Variances

The Planning Commission may grant variances to the requirements of the UDC regarding subdivisions (35-483) and development plats (35-484) if it concludes that strict compliance would result in practical difficulties or unnecessary hardships for the applicant, and that by granting the variance, the spirit of the UDC will be observed. Variances to plats and any associated plans and profiles shall be granted by the Planning Commission only in conjunction with the consideration of the proposed plat for approval.

Steps to Variance Appeal

1. Submit to the Director of Development Services a letter specifying the section for which a variance is requested and stating the grounds for the request along with all supportive facts upon which a variance might be warranted.
2. Completeness Review (5 days)
3. Decision (Administrative or Public Hearing)

City Council

Zoning

An applicant who wishes to submit a zoning change request to the City Council for its consideration where the Zoning Commission has recommended denial shall make such a request in writing to the Director of Development Services.

All applications for a change in zoning which the Zoning Commission has considered shall be presented to the City Council within six (6) months from the date of the Commission's final consideration. The filing fee shall accompany the application. In the event the applicant fails to present the application for rezoning to the City Council within the prescribed period, a new original rezoning application to the Zoning Commission, and fees are required.

Appeal Procedures for Sexually Oriented Business (35-488)

Appeal to the Board of Adjustment

Appeal to District Court

Appeals Boards

Building and Fire Code Board of Appeals

Interpretations of gray areas in the building code or fire code by the field inspector or use of alternative materials decisions by plan reviewers may be appealed to supervisors then to the Chief Inspector, then to the Director of Development Services. If not resolved, an appeal may be made to the Board. If still not resolved, an appeal may go to City Council.

Electrical Examining and Supervising Board of Appeals

Interpretations of gray areas in the electrical code by the field inspector or use of alternative materials or equipment decisions by plan reviewers may be appealed to supervisors then to the Chief Inspector, then to the Director of Development Services. If not resolved, an appeal may be made to the Board. If still not resolved, it may be appealed to City Council.

Mechanical Board of Appeals

Interpretations of gray areas in the mechanical code by the field inspector or use of alternative materials or equipment decisions by plan reviewers may be appealed to supervisors, then to the Chief Inspector, then to the Director of Development Services. If not resolved, an appeal may be made to the Board. If still not resolved, it may be appealed to City Council.

Plumbing Appeals and Advisory Board

Interpretations of gray areas in the plumbing code by the field inspector or use of alternative materials or fixtures decisions by plan reviewers may be appealed to supervisors then to the Chief Inspector, then to the Director of Development Services. If not resolved, an appeal may be made to the Board. The Plumbing Appeals and Advisory Board decision is final.

Home Improvement Advisory Board

The Board shall make recommendations to the Director of Development Services in all matters relating to the enforcement and application of the Home Improvement Contractors licensing ordinance and shall advise the Director of Development Services as to the approval or denial of each application for a license and cancellations of licenses as provided. An appeal of the decision may be made to City Council.

Historic and Design Review Commission

The Commission is advisory to the Director of Planning. If an applicant is dissatisfied with the action of the Commission and the Director of Planning, an appeal may be made to the Zoning Board of Adjustment within thirty (30) days after receiving notification of such action.

GLOSSARY OF TERMS (TAB)

GLOSSARY OF TERMS

For the purpose of this manual, certain terms, phrases, words and their derivatives shall be defined as specified in the Unified Development Code and the Uniform Building Code where specific definitions are provided. Where terms, phrases and words are not defined, they shall have their ordinary accepted meanings within the context they are used.

ACCESSORY USE or BUILDING is a subordinate use or building customarily incident to and located on the same lot with the main building or use.

ALTER or ALTERATION is any change, addition or modification in construction or occupancy.

ALTERATION, as applied to a building or structure, is a change or rearrangement in the structural parts or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

APPEAL is an allegation that there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the Unified Development Code or other codes referenced in this manual.

APPLICATION is any application for approval of an annexation, a rezoning, or a Permit as defined herein.

BASE ZONING DISTRICT is any of the zoning districts established pursuant to 35-302(a) of the UDC.

BEST MANAGEMENT PRACTICES (BMP) with respect to stormwater management in the Edwards Recharge Zone District are the effective integration of stormwater management systems, with appropriate combinations of landscape conservation, enhancement, structural controls, impervious cover, previous hardscapes, schedules of activities, prohibitions of practices, maintenance procedures and other management practices that provide an optimum way to convey, store and release runoff, so as to reduce peak discharge, remove pollutants and enhance the environment.

BUILDING is any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING CODE is the Building Code as adopted by this jurisdiction.

BUILDING, EXISTING, is a building erected prior to the adoption of this code, or one for which a legal building permit has been issued.

BUILDING OFFICIAL is the officer or other designated authority charged with the administration and enforcement of this code, or the building official's duly authorized representative

BUILDING SITE is the lot or portion of a lot, which is designated on the building permit application and any existing buildings and appurtenant parking on the lot.

CERTIFICATE OF OCCUPANCY is a paper to be issued certifying that the premises complied with all the provisions of the ordinance.

CITY is the City of San Antonio or any agency, bureau, department, division or commission of the City of San Antonio and any department, agency, board, commission or governing body of the City of San Antonio and its capacity of processing, approving or issuing permits.

COMMERCIAL DEVELOPMENT includes any lot, parcel or tract not to be used as single family or multi-family residential, recreational, open space or agricultural.

CONTRACTOR is any person doing work within the building trades or construction professions, either licensed or unlicensed by the City of San Antonio.

CONSTRUCTION is the act of adding an addition to an existing building or structure, or the erection of a new principal or accessory building or structure on a lot or property, or the additions of walks, driveways or parking lots, or the addition of appurtenances to a building or structure.

COUNCIL is the city council of the City of San Antonio.

DEGRADATION is pollution of a representative sample of water that unreasonably reduces the quality of such water. The quality of a representative sample of water is reduced when such water is rendered harmful, detrimental, or injurious to humans, animal life, vegetation, or property or the public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

DEMOLITION is the complete or partial removal of a structure from a site.

DEVELOPMENT (1) includes buildings, roads and other structures; construction; and excavation, dredging, grading, filling and clearing or removing vegetation associated with residential, recreational, commercial, industrial or institutional construction.

DEVELOPMENT (2) is any manmade change to improved real estate, including but not limited to, erecting buildings or other structures, mining, dredging, cutting, and/or filling, grading, paving, excavation or drilling operations, platting or replatting of subdivisions, creation or expansion of a mobile home/manufactured home or setting up a mobile home/manufactured home or any change in use of a structure from nonresidential to residential use.

DEVELOPER is a person responsible for any undertaking that requires a zoning permit, special use permit, conditional use permit, etc.

DEVELOPER (2) is the owner of the property, his/her subsequent purchasers, successors, and/or assigns.

DEVELOPER CUSTOMER is any applicant who requests sewer or water service for a lot or lots that have been or will be subdivided or platted.

DEVELOPMENT is any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or, drilling operations or storage of equipment or materials.

DEVELOPMENT PERMIT includes any of the following: a subdivision plat, a conditional use permit, a building permit, or a certificate of occupancy. A development permit does not include a certification of completeness, a letter of certification, an amendment to the text of the UDC, or a rezoning.

DEVELOPMENT PLAN is the proposal for development including such drawings, documents and other information necessary to illustrate completely the proposed development. The development plan shall specifically include such information as required by the Unified Development Code. (see Master Development Plan)

DIRECTOR is the administrative official with original jurisdiction to review an application for completeness.

DRAINAGE SYSTEM includes all streets, gutters, inlets, swales, storm sewers, channels, streams, or other pathways, either naturally occurring or manmade, which carry and convey stormwater during rainfall events.

DRIVEWAY is the entrance to, and exit from, premises where it is possible to park completely off the street, and which is not open for vehicular traffic except by permission of the owner of such private property.

DRIVEWAY APPROACH is a way or place including paving and curb returns between the street travel lanes and private property, which provides vehicular access between the roadway and such private property.

DWELLING is any building or portion thereof that contains not more than two dwelling units.

DWELLING UNIT is any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by this code, for not more than one family, or a congregate residence for 10 or fewer persons.

EASEMENT is a grant for one or more of the property rights by the land owner to and/or for the use by the public, a corporation, or another person or entity.

EDWARDS AQUIFER RECHARGE ZONE (EARZ) is generally that area where the stratigraphic units constituting the Edwards Aquifer crop out, and including the outcrops of other formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located in the offices of TCEQ and the appropriate underground water district.

ELECTRICAL CODE is the National Electrical Code promulgated by the National Fire Protection Association, as adopted by this jurisdiction.

FILTRATION BASIN is a secondary treatment structure that follows a sedimentation basin and releases stormwater runoff through a filter medium to remove additional pollutants.

FIRE CODE is the Uniform Fire Code promulgated by the International Fire Code Institute, as adopted by this jurisdiction

FLOODPLAIN is an area of special flood hazard and high-velocity moving water contiguous with the floodway within the jurisdiction of the City of San Antonio and where applicable in its area of extraterritorial jurisdiction.

FLOODPLAIN (2) is any land area susceptible to being inundated by water from any source. The 100-year floodplain is also known as the area of special flood hazard.

FLOOR AREA is the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building or portion thereof not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

FLOOR AREA RATIO is the ratio of the total building floor area in square feet to the total land area in square feet.

GROUND WATER includes any water percolating below the surface of the ground.

HOME OCCUPATION is any activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling unit.

HUD-CODE MANUFACTURED HOME is a structure constructed on or after June 15, 1976, according to rules and regulations of the United States Department of Housing and Urban Development (HUD), transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet in length), or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

IMPACT FEE is a charge or assessment imposed by the city against new development in order to generate revenue for funding the costs of capital improvement or facility expansions necessitated by and attributable to the new development as specified in the sanitary sewer capital improvements plan for designated impact fee service areas. The term includes amortized charges, lump sum charges, capital recovery fees, contributions in aid of construction, and any other fee that functions as described by this definition.

IMPERVIOUS COVER includes roads, parking areas, buildings, pools patios, sheds, driveways, private sidewalks and other impermeable construction covering the natural land surface. This means, but is not limited to: all streets and pavement within a subdivision. "Percent impervious cover" is calculated as the area of impervious cover within a lot, tract or parcel or within the total site being developed, divided by the total area within the perimeter of such lot, tract, parcel or development. Vegetated water quality basins, vegetated swales, other vegetated conveyances for overland drainage, and public sidewalks are not calculated as impervious cover.

LOT is a designated parcel or area of land established by plat to be used, developed, or built upon as a unit.

MAJOR SUBDIVISION is any subdivision other than a minor subdivision.

MAJOR THOROUGHFARE PLAN is that part of the master plan designating the location, dimensions, and dedication requirements of expressways, primary arterials and secondary arterials as adopted by the City Council September 21, 1978, and any amendments thereto.

MANUFACTURED HOME or MANUFACTURED HOUSING is a HUD-code manufactured home. For purposes of the floodplain ordinance, a "manufactured home" means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

MASTER PLAN is the comprehensive plan for the physical development of the city, as prescribed in Section 121 of the city charter and includes any unit or part of such plan separately adopted and any amendment to such plan or part thereof.

MASTER DEVELOPMENT PLAN is a long-range plan for the development of property submitted pursuant to section 35-412 of the UDC.

MECHANICAL CODE is the Uniform Mechanical Code promulgated by the International Association of Plumbing and Mechanical Officials, as adopted by this jurisdiction.

MINISTERIAL DECISION is a decision rendered by an administrative official or agency without a public hearing and subject to the standards as set forth in sections 35-401(b)(3) and 35-424 of the UDC.

MINOR SUBDIVISION is a subdivision involving four (4) or fewer lots fronting on an existing street that does not involve (i) the creation of any new streets, alleys or safety lanes; (ii) the extension of off-site utilities; or (iii) the installation of drainage improvements.

NEIGHBORHOOD UNIT encompasses an area, which includes residences, businesses, parks, schools and other community facilities.

NEW CONSTRUCTION, for floodplain management purposes, means structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NEW DEVELOPMENT includes any new demand, which increases the number of equivalent dwelling units including, but not limited to, the subdivision and/or resubdivision of land; the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land, any of which increases the number of equivalent dwelling units.

NONCONFORMING STRUCTURE is any existing structure erected according to all applicable city ordinances at the time, but which does not now comply with all the regulations applicable to the zoning district in which the structure is located.

NONCONFORMING USE is the use of an existing land or structure after the enactment of the zoning ordinance, which does not comply with the use regulations applicable to the zoning district in which the land is located.

NON-DEGRADATION means the proper use of Best Management Practices and pollution prevention criteria in activity so as to prevent Degradation as defined herein.

OCCUPANCY is the purpose for that a building, or part thereof, is used or intended to be used.

OCCUPANCY (2) is the presumed level of build-out as estimated by the property owner of the proposed development at the later or five years or build out.

OPERATIONAL PERMITS are permits that are required to operate a business.

OPERATOR of a construction site is usually the contractor or developer.

OVERLAY DISTRICT is a zoning district established by the UDC prescribing regulations to be applied to a site in combination with a base-zoning district.

OWNER is any person, agent, firm or corporation that has a legal or equitable interest in the property.

PERMIT (1) is an official document or certificate issued by the building official authorizing performance of a specific activity.

PERMIT (2) is a license, certificate, approval, registration, consent, permit, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must perform an action, or initiate, continue, or complete a project for which the permit is sought.

PERMIT RIGHTS include the right of a property owner or developer to complete a project under the rules, regulations and ordinances in effect at the time the project was initiated through a permit as herein defined. When permit rights exist for property within the boundaries of a project, ordinances passed after the date the project is initiated do not apply except as specifically provided in the UDC.

PLANNING AREA is the corporate limits and extra-territorial jurisdiction of the City of San Antonio.

PLAT is a complete exact map representing a tract of land, showing the boundaries and location of individual lots, easements, and streets, which has been approved by the planning commission or the Director of Development Services and recorded in the office of the county clerk. A plat includes a replat.

PLUMBING CODE is the Uniform Plumbing Code, as adopted by this jurisdiction.

POLLUTANTS include any element, chemical, compound, organism or material, which alters the chemical, physical, biological and/or radiological integrity of water.

POLLUTION is the alteration of the physical, thermal, chemical or biological quality of, or the contamination of any water.

PROJECT is an endeavor over which the City exerts its jurisdiction and for which one or more permits are required to initiate, continue, or complete the endeavor.

PROPERTY OWNER is the person, entity, corporation or partnership in whose name a certificate of occupancy is issued, or the current owner of the property if a certificate of occupancy is not longer valid, or, if the current owner cannot be contacted after due diligence, the lessee/occupant of the property who is in apparent control of the property.

PUBLIC RIGHT-OF-WAY is a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and used or intended to be used, wholly or in part, as a public street, alley, walkway, drain or public utility line.

PUBLIC RIGHT-OF-WAY (2) is an area or strip of land, either public or private, occupied or intended to be occupied by a street, walkway, railroad, utility line, drainage channel, or other similar uses.

REGIONAL STORM WATER IMPROVEMENTS (RSI) is regional detention and retention ponds, watershed protection, land purchase, waterway enlargement, channelization, and improved conveyance structures.

REPAIR is the reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

REVIEWING AGENCY is any agency of the City charged with the authority to render a decision approving, denying, or approving with conditions, an Application for Development Approval.

SEDIMENTATION BASIN is a structure that removes pollutants by creating conditions under which suspended solids can settle out of the water column.

SETBACK is a line within a lot parallel to and measured from a corresponding lot line, establishing the minimum required yard and governing the placement of structures and uses of the lot.

START OF CONSTRUCTION is the first placement of permanent construction of a structure on a site, such as pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the state of excavation or the placement of a manufactured home on a foundation.

STORM WATER DRAINAGE FEES represent a method or mix of methods for providing adequate, stable and equitable funding for a comprehensive storm water or drainage program. The financing mechanisms included in the method may include, but not be limited to, user fees, new development impact fees, or surcharges on other utility fees.

STREET is any thoroughfare or public way not less than 16 feet in width that has been dedicated or deeded to the public for public use.

STREET (2) is any vehicular way which: (1) is an existing state, county or municipal roadway; or (2) is shown upon a plat approved pursuant to law; or (3) is approved by other official action; and includes the land between the street lines, whether improved or unimproved.

STRUCTURE is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

SUBDIVIDER is any person, or their agent, having an interest in land that is the subject of an application for subdivision.

SUBDIVISION is a division of any tract of land into two or more parts for the purpose of laying out any subdivision of any tract of land or any addition to the city, or for laying out suburban, building, or other lots, or streets, alleys, or parks or other portions intended for public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto. A subdivision includes a Resubdivision (plat).

TEXAS ACCESSIBILITY STANDARDS refer to the Architectural Barriers Act, Article 9102 Texas Civil Statutes, April 1, 1994.

UBC STANDARDS are those standards published in Volume 3 of the Uniform Building Code promulgated by the International Conference of Building Officials, as adopted by the jurisdiction.

UNIFIED DEVELOPMENT CODE is the Unified Development Code of the City of San Antonio.

USE is the purpose for which land or structures thereon is designed or arranged or intended to be occupied, maintained, rented, or leased.

VALUE or VALUATION of a building shall be the estimated cost to replace the building and structure in kind, based on current replacement costs, as determined in Section 107.2 of the Uniform Building Code.

VARIANCE is (1) a request to the planning commission for permission to vary or depart from a requirement of Articles II, III or IV, or V of the Unified Development Code, where due to special conditions, a literal enforcement of the requirement will result in an unnecessary hardship. (2) A request to the board of adjustment for permission to vary or depart from a requirement of Article III of the Unified Development Code, where due to special conditions, a literal enforcement of the requirement will result in an unnecessary hardship.

APPENDIX

CONTACTS BY DEPARTMENT AND AGENCY

DEVELOPMENT SERVICES

Florencio Pena, Director 207-8259
Rod Sanchez, Assistant Director, Zoning/Subdivision
207-7905 RodSanchez@sanantonio.gov
Gloria Garcia, Executive Assistant
207-8270 GIGarcia@sanantonio.gov
George Perez, Development Services Manager/Commercial Inspections
415-6760 georgep@sanantonio.gov
Rene La Fuente, Senior Building Inspector
394-0337 rlafuente@sanantonio.gov
Ray Valenzuela, Chief Mechanical Inspector
215-1476 ivalenzuela@sanantonio.gov
Roland Maldonado, Senior Mechanical Inspector
415-8028 rmaldonado@sanantonio.gov
Robert Stricker, Chief Plumbing Inspector
260-4273 rstricker@sanantonio.gov
Gonzalo Rios, Senior Plumbing Inspector
415-4243 grios@sanantonio.gov
Patrick Poloskey, Development Services Manager/Residential Inspections
207-8286 PatrickP@sanantonio.gov
Roger Rodriguez, Senior Electrical Inspector
415-8274 rogerr@sanantonio.gov
David Simpson, Chief Sign Inspector
288-3757 @sanantonio.gov
Michael Herrera, Master Development Plans
207-7038 mherrera@sanantonio.gov
Vacant, Plan Review Manager
207-8061 albertr@sanantonio.gov
Fernando DeLeon, Plan Review Manager
207-8156 fernandod@sanantonio.gov
David Dimaline, Plans Coordinator
207-0028 ddiamline@sanantonio.gov
Julie Martinez, Permit Supervisor
207-1111 jmartinez@sanantonio.gov
Debbie Reid, City Arborist
207-8053 DReid@sanantonio.gov
Paul Cooper, Assistant City Arborist
207-8320 Pcooper@sanantinio.gov
Antonette Villareal, Landscape Examiner II
207-0029 Avillareal@sanantonio.gov
John Jacks, Senior Planner/Zoning
207-7206 Jjacks@sanantonio.gov
Ed Guzman, Senior Planner/Platting
207-7892 eguzman@sanantonio.gov
Robert Opitz, Chief Engineer
207-7587 ROpitz@sanantonio.gov
Richard De La Cruz, Senior Engineer, TIAs
207-0265 rdelacruz@sanantono.gov
June Puente, Sr Engineer Tech/Subdivision Coordinator
207-6044 Jpuente@sanantonio.gov
Jesus Vilella, Senior Development Service Spec./Bldg Permits/Drainage & Parking & Sidewalks
207-0020 jvilella@sanantonio.gov
Joseph Ortega, Senior Engineering Associate/Bldg Permits/Traffic
207-8394 Jortega@sanantonio.gov
Robert Espinosa, Environmental Protection/Phase I, II & III
207-6448 respinosa@sanantonio.gov
Felicia Knight-Thompson, Customer Service Specialist
207-8262 fthompson@sanantonio.gov
Andy Gomez, Development Services Ombudsman
207-0132 JoseG@sanantonio.gov
Alex Garcia, Development Services Manager
207-0001 lxgarcia@sanantonio.gov

Sandy Jenkins, Special Projects Manager
207-2721 sjenkins@sanantnio.gov

PLANNING

Emil Moncivais, Director of Planning
207-7951 emoncivais@sanantonio.gov
Nina Nixon-Mendez, Neighborhood Planning Manager
207-2893 nnmendez@sanantonio.gov
Ann McGlone, Historic Preservation Officer
207-8316 AMcGlone@sanantonio.gov
One Stop Counter 207-5500

METRO HEALTH

Sam Sanchez, Environmental Health Administrator
207-2293 samsanchez@sanantonio.gov
Don Sueltenfuss, Food Services Manager
207-4079 dsueltenfuss@sanantonio.gov
Leonard Mechlor, Senior Sanitarian/Vector Control 921-6508
One Stop Counter 207-0014 or 207-5500

PUBLIC WORKS

Tomas G. Wendorf, Director, PE
207-8025
Nellie Gomez-Shannon, Assistant Director/Flood/ROW
207-8024 nshannon@sanantonio.gov
Jason Cosby, Assistant Director/Transportation
207-7785 jcosby@sanantonio.gov
Doug Yerkes, City Engineer
207-6530 dyerkes@sanantonio.gov
Joe DuMenil, Stormwater Utility Manager
207-8023 jdumenil@sanantonio.gov
Eloy Rosales, Right of Way Manager
218-0910 (207-0128) erosales@sanantonio.gov
Disability Access Office, Public Works Department 207-7245
Texas Accessibility Standards Compliance (800) 252-8026 or
(512) 463-3211

CITY PUBLIC SERVICE

Customer Service/New Electric Service 353-2222
Mike Dinning, Subdivision Planning Supervisor 353-2822
One Stop Counter 207-0000 Prompt 7

SAWS

Lisa Guardiola, New Water & Sewer Service
704-7070 or 704-7069 lguardiola@saws.org
Ray Ceniseros, Water & Sewer Line Maps
704-7109 rceniseros@saws.org
Kirk Nixon, Manager/Aquifer Protection & Evaluation
704-7505 knixon@saws.org
One Stop Counter 207-0011 or 207-0000 prompt 8

BEXAR COUNTY

Renee Green, County Engineer/Platting/Septic Permits 335-6700
Carl Mixon, County Fire Marshal/Building Permits 335-0300

BEXAR METROPOLITAN WATER DISTRICT

Carlos Rodriguez, Mains & Services 354-6561
Rachel Chavez, Mains & Services 354-6563
One Stop Counter 207-0012 or 207-0000 prompt 9

FIRE DEPARTMENT

Abel Flores, Fire Marshal abelf@sanantonio.gov 207-7966
Captain Dennis Rodriguez, Office Manager 207-7967, Receptionist/Records/Scheduler 207-8410

Development Process Contacts and Telephone Numbers

DEVELOPMENT SERVICES

Director 207-8259
Field Operations: Assistant Director 207-8236
Zoning/Subdivisions: Assistant Director 207-7905
Executive Assistant 207-8270
Chief Building Inspector (Vacant)
Senior Building Inspector 394-0337
Chief Mechanical Inspector 215-1476
Senior Mechanical Inspector 415-8028
Chief Plumbing Inspector 260-4273
Senior Plumbing Inspector 415-4243
Chief Electrical Inspector 288-4568
Senior Electrical Inspector 415-8274
Senior Sign Inspector 288-3757
Plans Coordinator 207-0141
Senior Plans Examiner/Building 207-8397
Senior Fire Protection Engineer 207-8061
Plans Examiner II/Building-IFO 207-0023
Chief Engineer 207-7587
City Arborist 207-8053
Customer Service Specialist 207-8262
Senior Planner/Zoning 207-7206
Senior Planner/Platting 207-7892
Subdivision Coordinator 207-8075
Traffic Impact Analysis 207-7741
Subdivision/Drainage 207-0020
Building Permits/Traffic 207-8056
Building Permits/Drainage 207-0020
Development Services Ombudsman 207-0002
Development Services Manager & One-Stop Development
Services Center Coordinator 207-0001
Department Homepage: www.sanantonio.gov/dsd

PLANNING

Director 207-7951
Neighborhood Planning Manager 207-2893
Historic Preservation Officer 207-8316
One Stop Counter 207-0013

METRO HEALTH

Environmental Health Administrator 207-2293
Food Services Manager 207-4079
Senior Sanitarian/Vector Control 603-8283
One Stop Counter 207-0014 or 207-0000 prompt 6

PUBLIC WORKS

Director 207-8022
City Engineer 207-6530
Senior Drainage Engineer 207-8023
Flood Plain 207-8023

PARKS AND RECREATION

Director's Office 207-8480
Disability Access Office 207-7245

CITY PUBLIC SERVICE

Customer Service/New Electric Service 353-2222
Subdivision Planning Supervisor 353-2814
One Stop Counter 207-0000 prompt 7

SAWS

New Water & Sewer Service 704-7071 or 704-7069
Water & Sewer Line Maps 704-7109
Aquifer Protection & Evaluation 704-7505
One Stop Counter 207-0011 or 207-0000 prompt 8

BEXAR COUNTY

County Engineer/Platting/Septic Permits 335-6700
Bexar County Fire Marshal/Building Permits 335-0300

BEXAR METROPOLITAN WATER DISTRICT

Mains & Services 354-6561
Mains & Services 354-6563

FIRE DEPARTMENT

Fire Marshal 207-7966
Receptionist/Records 207-8410
Office Manager 207-7967
Planning/Budget 207-7043
Scheduler 207-8410

One Stop Counter 207-0009 or 207-0000 prompt 4

Development Process Contacts and Telephone Numbers by Chapter of the Development Process Manual

ONE-STOP 207-0000

START A BUSINESS

Business Tax Kit (800) 829-3676
Employer ID Number from IRS (512) 460-7843
Determining Independent Contractor from IRS (800) 929-1040
Assumed Name Information, County Clerk 335-2223
Corporation Filing Information, Texas State Dept 512-463-5555
Home Occupation Information (Zoning) 207-1111 press 6
Certificate of Occupancy Information (One-Stop) 207-1111 press 0
Sales Tax Permit Information (State of Texas Comptroller's Office)
Southwest San Antonio 924-6434
Northeast San Antonio 646-0399
First Point Business Information Office 207-3900
Procurement Technical Assistance Training 207-3915
Small Business Economic Development Advocacy 207-3915
Small Business Development Center 458-2460
San Antonio Local Development Company Loan Information (210) 207-3932 or (800) 55-SALDC
Small Business Administration 472-5900
Service Corps of Retired Executives (SCORE) 403-5931
Small Business Development Center (UTSA) 458-2747
International Trade Center – UTSA 458-2476
Minority Business Development Center 458-2480
TABC (Friday only) 207-3904

DEVELOP YOUR PROPERTY

Zoning/Planning Department 207-0239
Historic Preservation 207-8316
Military Airport Overlay Zone (MAOZ) 207-1111 press 6
Airport Hazard Zoning 207-1111 press 7
Floodplain 207-8060
Urban Corridor 207-111 press 7
Edwards Aquifer Recharge Zone(EARZ) 704-7505 (SAWS)
Edwards Recharge Zone District (ERZD) 207-1111 press 7
Extraterritorial Jurisdiction 207-7900
Master Plan/Land Use Plan Information 207-7038

Neighborhood Plans 207-2893
Transportation Plan/Major Thoroughfare Plan 207-7873
Texas Department of Transportation 615-5865
Traffic Impact Analysis (TIA) 207-0265
Parking Requirements 207-6310
Drainage and Storm Water Management 207-6044
Newly Annexed Territory 207-7900
Curbs and Sidewalks 207-8060
Tree Preservation 207-8265
Landscaping 207-8265
Zoning 207-0239
Manufactured Home Parks 207-7038
Planned Unit Development 207-7873
Development Located in a Floodplain 207-8052
Develop, Build in or Alter Historic Property 207-8316
Development Located in a MAOZ 207-1111 press 6
Development Located in an Airport Hazard Zone 207-3517
Subdivision Platting 207-0121
Plat Deferral 207-7900
License to Encroach on a Public Right-of-Way 207-0124
Quit Claim and Permanently Close a Street 207-7755
Water and Sewer Service (SAWS) 704-7105
Bexar Metropolitan Water District 354-6561
San Antonio River Authority 227-1373
Electric Service (CPS) 353-2814
Cable Television Service (Time Warner) 352-4460
Telephone Service (SBC) Penny Cochran 283-1625
Bexar County Infra-structure Department 335-6700

COMMERCIAL CONSTRUCTION

Building Permit Application and Plan Submittal 207-1111 press 7
Commercial Building Permit 207-1111 press 7
Fire Prevention Requirements 207-8061
Sign Permit 207-8289
Electrical Permit 207-1111 press 4
Mechanical Permit 207-1111 press 4
Plumbing Permit 207-1111 press 4
Tree Affidavit/Permit 207-8265
Texas Accessibility Standards Compliance (800) 252-8026
Disability Access Office 207-7245
Health Department Requirements 207-8853
Alcohol Sales Requirements 207-8853
Plan Review 207-1111 press 3
Plans Under Review 207-1111 press 3
Approved Plans 207-1111 press 3
Inspection Scheduling 207-1111 press 0
Certificate of Occupancy 207-1111 press 0

RESIDENTIAL CONSTRUCTION

Building Permit Application and Plan Submittal 207-207-1111 press 7
Permits 207-1111 press 4
Plan Review 207-1111 press 3
Inspection Scheduling 207-8250

MISCELLANEOUS PERMITS

Street & Sidewalk Closure/Barricade Permit 207-7755
Right-of-Way Permit 207-0121
Fire Prevention 207-8061
Temporary Service 207-1111 press 0
Operational Permits 207-1111 press 4

MOVE OR DEMOLISH A STRUCTURE

Relocate a Building 207-8308
Demolish a Building 207-1111 press 4

OCCUPY A BUILDING OR SPACE

Occupancy Permit 207-1111 press 4
Landscaping 207-8265
Tree Preservation 207-8265
Special Use Permit (Zoning) 207-0239
Drainage 207-6044
Fire Protection 207-8061
Underground Storage Tank 207-8410

APPEAL A DECISION OR ACTION

Board of Adjustment 207-8318
Planning Commission 207-7900
City Council (for Zoning) 207-0239
Building and Fire Code Board of Appeals 207-8314
Electrical Board of Appeals 207-8286
Mechanical Board of Appeals 207-8242
Plumbing Appeals and Advisory Board 207-8279
Home Improvement Advisory Board 207-8314

OTHER CONTACTS

City Tax Office 207-8737
House Numbering 207-0258
House Numbering Specialist 207-8260

**Development and Business Services Center
1901 S. Alamo
San Antonio, Texas, 78204**